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ABSTRACTS

Features

Private military contracting in weak states: Permeation or transgression of the new public management of security?

Carlos Ortiz

New Public Management (NPM) models the emerging public administration orthodoxy. With the aim of raising the efficiency of government, the theory and practice of NPM favour the participation of private firms in public service provision. Out go bureaucracies and traditional public administration; in come flexible management and private sector input into the affairs of government.

From welfare services to defence, this paradigmatic strategy has proven to be applicable to any aspect of the public sector and its influence is global in scope. The trend towards NPM reform has been gaining momentum since the 1990s and it has unfolded alongside the proliferation of private military companies (PMCs). The shift of the global political economy towards neo-liberalism has contributed considerably to this transformation. Against this background, key structural changes in the relationship between the public and private sectors that have contributed to the emergence of new modalities for the management of state security are discussed in this article.

The notional underpinnings of NPM are discussed first. Second, through a focus on the robust outsourcing and contracting out dynamic of Western states, there is an overview of the operational logic of the NPM of security. In this regard it should be noted that many PMCs originating in these countries operate in weak states, where government and the market economy are embryonic structures. Third, noting that the handling of military and security tasks by PMCs to some extent can be extrapolated in such cases, it is argued that there appears to be three emerging modalities for the privatisation of security characteristic to weak states, in particular in sub-Saharan Africa. The identification of variants of the NPM of security allows the author to propose that the efficiency assumed to be inherent in NPM will remain elusive unless both countries that supply PMCs and those that are predominantly receptors of their services synchronise NPM reform.

Local dynamics of security in Africa: The Central African Republic and private security

Marco Boggero

In the Central African Republic, successive rebellions and unstable governments have created a palpable sense of insecurity for decades, which often seemed to require outside solutions. In this issue of the *African Security Review* the relevance, to the outside world, of African responses to the challenges of peace and security is explored and this article contains a survey of the local private security sector in the Central African Republic as a local response to the challenges of security. The author presents some evidence about how private security companies operate in the field and reveal interesting findings on the growth of one local sector. He also discusses some of the relationships between private and public provision of security in the local context. This work is based on fieldwork and secondary literature; it is part of wider research on how the private security industry operates in the sub-regional context that includes Darfur, Chad and the Central African Republic.

Challenges in understanding terrorism in Africa: A human security perspective

Anneli Botha

An intelligent strategy based on the understanding of terrorism and related conditions conducive to the manifestation and threat of terrorism is essential to prevent and combat terrorism. Instead of a state-centric reactive approach, a proactive approach in addressing the underlying factors conducive to the spread of radicalisation is essential. This approach was particularly highlighted at the international level with the introduction with the UN Global Counter-Terrorism Strategy. The only challenge to African countries is to appreciate and implement these principles in an environment where the relationship between the state and its citizens is often in question.

Enhancing counterterrorism cooperation in southern Africa

Eric Rosand and Jason Ipe

In this article an overview is provided of the terrorist threat and vulnerabilities in southern Africa and the capacity of governments in the sub-region to respond to these threats and vulnerabilities.

In this region the threat of international terrorism is considered to be far less pressing than issues such as violent crime, poverty, public health and corruption. The article focuses on the mechanisms of sub-regional counterterrorism cooperation and how they may be improved. It also looks at how the United Nations can help to strengthen that cooperation and examines how the September 2006 UN Global Counter-Terrorism Strategy offers an opportunity to allow the UN system to engage more effectively on counterterrorism-related issues with countries and other stakeholders in southern Africa. The conclusion is that an effective sub-regional response to the threat will require the engagement of a wide range of stakeholders with technical, financial and other resources as well as the inclusion of not just states but regional and sub-regional bodies, the UN system, and other donors and assistance providers and civil society.

In light of the widespread perception that terrorism is primarily a Western problem and that underlying conditions and gaps in capacity must be addressed, a strategy that focuses on narrow security and law enforcement concerns – particularly if viewed as merely an extension of the US ‘global war on terror’ – is unlikely to gain much currency within the sub-region. The UN Strategy is an attempt to bridge the divide between the security interests of the global north and the development priorities of the global south, putting the need to address conditions conducive to the spread of terrorism front and centre. The challenge will be to operationalise this link between security and development.

Essays

The potential of nonviolence in building security in sub-Saharan Africa

Geoff Harris

This article commences by examining the nature and extent of armed conflict in Africa and the meaning of some key terms from the discipline of peace studies. It then examines two main questions. First, is a national policy of nonviolence possible? Attention is paid to successful examples of demilitarisation from Central America, particularly Costa Rica, which illustrate that such a policy is both practical and highly beneficial. Second, can nonviolence bring about social change? Contrary to popular belief, the military has

a poor track record in dealing with disputes while nonviolent campaigns have achieved a great deal by way of sustained social change. The article concludes by suggesting practical ways in which nonviolence can be promoted.

Deconstructing local ownership of security sector reform: A review of the literature

Daniel Bendix and Ruth Stanley

The concept of security sector reform (SSR) entered the repertoire of development cooperation in the late 1990s as a novel approach emphasising core values such as legality, transparency and accountability, and focusing not only on state security, but also on the safety of individuals. Within this framework, 'local ownership' of reform processes is a central tenet of SSR; however, there is no agreement on the precise meaning of the term, nor on the purposes local ownership of SSR should serve. Despite the theoretical commitment to a broad notion of local ownership, in practice it is often reduced to a demand for acquiescence on the part of recipient governments, leaving other relevant actors out of the equation. The authors argue for an invigorated understanding of the term that would guarantee the participation of those affected by SSR; this implies that both donors and recipients need to develop mechanisms and strategies that would allow all voices in society to be heard and so make SSR an inclusive endeavour.

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FEATURES

Private military contracting in weak states: Permeation or transgression of the new public management of security?

Carlos Ortiz

New Public Management

New Public Management (NPM) is an approach to the organisation and management of government advocating the use of market methods and private firms for the allocation of public goods and services. Competition in the public sector, hands-on professional management, and discipline and parsimony in resource use are some of the ‘doctrinal components’ of the approach identified by Hood (1991:3–19) in the early 1990s. The incorporation of market discipline in aspects of government has also meant that public administrators must increasingly act like business managers. This new attitude necessarily includes advances in business administration, pioneered in the private sector and adapted to

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the management of government. Terminology and concepts associated with the approach, such as 'results oriented', 'entrepreneurship', and 'outsourcing', have therefore now become commonplace in discussions about and within the public sector (Rosenbloom & Kravchuck 2002:25). The gradual and systematic transition from traditional public administration to NPM since the late 1980s has given the approach the overarching qualities of a culture, a philosophy or a paradigm (Barzelay 1995:8). In Western democracies, as well as in the entire Organisation for Economic Co-operation and Development (OECD),¹ the paradigm increasingly impinges on all aspects of state security.

NPM draws some of its guiding principles from economic theory, the logic and practice of which has made deep inroads into previously assumed discrete fields of social enquiry over the last few decades. A focal point and driving force behind public sector reform has thus become 'economy, efficiency and effectiveness', or the virtuous three Es. This is an extension of traditional public administration, which endeavoured to apply these principles to the workings of bureaucracies and not as elements of strategies that call for the implementation of market mechanisms in the public sector. The normative aim, and guiding principle, of the approach is the attainment of economic efficiency of government, in other words minimising costs and maximising outcome. The assumption is often that this can be achieved through the inclusion of private sector input into the affairs of government.

Operationally, NPM introduces a contract between authorities and firms for the 'efficient' execution of public services by the latter. In effect this often entails open and competitive tendering for government contracts for the handling of specific tasks, because 'any conceivable government service can be provided by contract' (Hughes 1998:70). The active competition between firms to win contracts fosters, in theory, optimal service provision. In this context 'optimal' means that authorities would contract the firm(s) offering the best value for money, given specified tender parameters and goals. It is argued that 'successful implementation would result in a more effective and efficient public sector, whether delivering defence or social services' (Peters 1996:45). Chief amongst the changes introduced is precisely the identification of government as 'the maker of contracts' (Lane 2000:160). Therefore the approach re-conceptualises the role of government from provision to tendering and supervision. At the same time, the new culture prompts a shift 'from political accountability to managerial accountability' (Baker 2004:46). This paradigm shift motivates a change in the traditional notion of a state monopoly over the legitimate uses of violence. By this the technical supremacy of the bureaucratic model, as argued amongst others by Max Weber (1991:214), is irreversibly superseded by NPM.

These theoretical and practical developments have contributed to the dismantling of the conventional view that collective goods, such as defence and law enforcement, should be provided by the public sector only. Theoretically, the private sector is dissuaded from entering public goods markets. The fact that authorities satisfy them for a negligible price

critically limits the potential profitability of private service provision. It is also argued that private markets are unable to produce the 'efficient quantity' of public goods that 'matches the marginal cost of making it to the social benefit of having it, which is simply the sum of the marginal private benefit of each person consuming that quantity' (Begg, Fischer & Dornbush 2003:149–150). This is clear in the case of some elusive, indivisible and expensive public goods such as the maintenance of a nuclear deterrent or a judicial or criminal system. Apart from some exceptions, however, in the current environment distinctions between purely public and private goods are difficult to sustain in practice. Accordingly, Rainey observes that many studies confirm the divergence between theory and practice when comparing 'public and private delivery of the same services, mostly finding the private form more efficient' (Rainey 1997:76). This brief analysis provides a good idea of the elusive nature of public goods and the social laboratory in which they are created, prioritised and satisfied, and their efficient quantity established.

To a large extent, the introduction of market mechanisms for the running of the public sector has placed governments and firms on equal footing in the delivery of the public services that derive from the satisfaction of public goods. Under NPM competition is created in order to find the best alternatives in the private sector to satisfy, partly or totally, public service delivery. Hence, NPM has facilitated the use of private military companies (PMCs)² as part of the equation for improving the efficient delivery of public goods, in that their participation presupposes a more efficient alternative than exclusive public provision.

New public management of security

As the preceding discussion suggests, the NPM architecture incorporates in its edifice, inter alia, infrastructure and methods dedicated to the identification of services and tasks that can be contracted out, the implementation of tendering mechanisms to select the best firms in the market economy, and the establishment of contractual regimes formally connecting authorities and firms. The notional basis of NPM also implies that the strategy is best applied in the context of a highly functional market economy and a political commitment to liberal governance. In the sphere of state security, this is confirmed by the trajectory of leading Western nations, in particular the United States and its Anglo-Saxon allies. Besides constituting leading suppliers of PMCs and private military personnel, these countries are at the forefront of NPM reform.³ The experience of these countries sets global standards for public sector reform, which concurrently inform the latest developments of the paradigm.

In the case of the US, building on the privatisation agenda initiated by the administration of Ronald Reagan, the government of Bill Clinton engaged in a thorough programme of NPM-inspired modernisation. Announcing the release of the national performance

review in 1993, called *From red tape to results*, he stated that the goal was ‘to make the entire federal government both less expensive and more efficient’ (Clinton 1993). The proposed solution was to create ‘entrepreneurial organisations’. In this respect, the final report of the Commission on the Roles and Missions of the Armed Forces, which was presented to Congress in 1995, put forward a suggestion that costs be reduced ‘through increased outsourcing and better management’. By the beginning of the Iraq occupation in 2003, it was generally agreed that the ratio of deployed troops to private personnel had decreased to about 10 to 1 from 100 to 1 during the first Gulf War of August 1990 to February 1991. In addition, the use of contractors has gradually been introduced into military planning. For instance, the 2006 quadrennial defence review explicitly acknowledged that contractors form part of the total force available to the Department of Defense (DoD US 2006:75). It considered the incorporation of ‘commercial activities by contractors, including contingency contractors and any proposed contractor logistics support arrangements’, in operational plans and orders to be part of policy (DoD US 2006:81). US allies such as Australia, Canada and the United Kingdom have mirrored this transition.

In the UK, the important role played by the private sector in the transformation of the Ministry of Defence (MoD 1998:170) during the past decade was recorded as early as 1998 in the strategic defence review, as is evidenced by the statement ‘whether through market testing and contracting out, [or] the involvement of private finance or Public/Private Partnership’. Uttley (2004:161) argues that by the start of the Iraq conflict, the debate had ceased to be about the likelihood of private sector support to deployed operations, but was instead about ‘when and where contractor support offers the most cost-effective solution’. In Canada the 1994 White Paper on Defence (1994, chapter 7) highlighted the need that the Department of National Defence adopt a business model incorporating practices such as just-in-time delivery systems, off-the-shelf commercial technology, the contracting out of support functions, and an enhanced partnership with the private sector. In Australia the 2000 Defence White Paper strengthened the commitment outlined in the 1998 Defence and industry strategic policy statement to incorporate a competitive, efficient and innovative industry base for the support of the forces (DoD Australia 2000:99). To meet growing field commitments, ‘ranging from high-end warfighting to humanitarian assistance and disaster relief’, the subsequent 2005 defence review asserted that reliance on private sector support would only grow in the future (DoD Australia 2005:25). In Australia and other countries implementing NPM reform, the support has diversified and intensified to reflect the unconventional nature of new conflicts. The support clearly goes beyond defence to encompass state security in general as well as its projection outside the sovereign space.

A robust institutional framework manages the novel interaction between authorities and firms in the provision of security under NPM. One of the US agencies that serves as liaison for this interface is the General Services Administration (GSA US), which institutes long-term government-wide contracts with commercial firms to provide access

to over 10 million commercial supplies and services in terms of its schedule programme. The GSA is part of the military supply chain and the Department of Defense (DoD) is its single largest customer (Murphy & Assad 2006). In terms of the schedule contract, for example, the DoD hired MPRI Inc to provide translators, CACI International to provide civilian interrogators and Blackwater USA to provide personnel protection services to the DoD in Iraq. EOD Technology Inc is under contract with GSA (schedule 84) to provide environmental remediation and security services, and so on. GSA, through the Federal Supply Service, is also in charge of the Federal Business Opportunities (FedBizOpps) system, which has been described as the single government point of entry for Federal government procurement opportunities over US\$25 000.

Many of the contracts for the reconstruction of Iraq that were part of the efforts headed by the Coalition Provisional Authority originated in requests for tenders posted by the FedBizOpps system. The Australian Government Tender System, too, has adopted an approach for the tendering of contracts that has some parallels with GSA, and the Defence Materiel Organisation implements partnerships with the private sector for the support of the Australian Defence Force. The Public Finance Initiative (PFI), first introduced in 1992, has grown to become the largest public-private partnership programme in the UK (Uttley 2004:148). Through the PFI the financial risk associated with capital projects is outsourced to private firms 'in return for military services contracts with the British government which typically last between ten and forty years and guarantee continuous income in the form of agreed fees' (Krahmann 2005:5). Many government agencies also contract out security related services to the private military industry in Canada and OECD countries.

The acceptance PMCs gained by the growing application of NPM principles from the early 1990s onwards, when the market for private military services was enhanced in the transition to post-bipolarity, easily translated into rapid growth for an industry whose basis was established during the last stages of the Cold War. The partnerships that have developed between PMCs and governments because of this acceptability, have affected the structure of security provision in Western states. At the same time, elements of this architecture have been exported to weak states, either through the rendering of services or the partial or supra-state incorporation of market based principles. While the agenda for the transformation of the public sector has led to many paradoxes for authorities when applying NPM principles to sovereign areas such as defence and state security in the West, it has crystallised in unparalleled problems and opportunities in weak states.

The privatisation of security in weak states

In spite of a paradigm of global reach, NPM principles are applied unevenly across the world. The unevenness is even more evident when contrasting the robust managerial infrastructure outlined above with their near absence in weak states, many of them in

sub-Saharan Africa. However, the logic of contracting out in order to raise the efficiency of government can to some extent be traced. To understand this phenomenon, it is necessary to explore the constitution of weak states together with the reasons behind the privatisation of security. The market place of weak states has been a fertile medium for PMCs to proliferate and become important players in the global political economy. Certain market conditions inherent in the contracting of PMCs in weak states permit the argument that the process unfolds in a quasi-competitive and efficient manner, hence approximating the logic of NPM.

The phenomenon appears to be developing under the aegis of three models, which sometimes overlap or complement one another. Model 1 involves the direct contracting by authorities, Model 2 external contracting and competition, and Model 3 the transfer of security responsibilities to the market economy.

The environment engendered by the transition to post-bipolarity has offered ripe conditions for the privatisation of security in Africa. The manifest concentration of weak states in Africa justifies this geopolitical emphasis. In addition, it is relevant to recap certain systemic causes and consequences leading to this state of affairs. During the Cold War, the stability of many countries became dependent on the direct involvement of the superpowers and their allies in their political affairs, and on the military and security expertise that was offered in exchange for alignment. The end of the Cold War resulted in the drastic decline in this politico-military patronage. In the case of the US, about 520 000 military personnel had been deployed in foreign areas for the 1983 fiscal year, but by 1992 the figure had dropped to 344 000 (DoD US 1995, part v). The reduction of personnel deployed in foreign areas was accompanied by a decline in official arms transfers.

Irrespective of country of origin, arms deliveries to sub-Saharan Africa declined from about US\$6 791 million in 1987 to US\$600 million in 1992, representing a dramatic reduction to the developing world, which was also linked to a decline in assistance (International Institute for Strategic Studies 1998:272). Changes in the established patterns of assistance exacerbated or fostered conflict in weak states. Effective multilateral intervention, notably under the leadership of the United Nations, is an alternative that could have ameliorated the faltering peace dividend. However, the governments of some weak states have opted for contracting private military services rather than waiting indefinitely for broader support from the international community of states to materialise.

In weak states, governance is exercised under conditions of political instability. Warlords, political opponents or rebel groups often challenge the authority of rulers. With the absence of Cold War patronage, these states have been forced 'to assume greater responsibility for their own security' (Howe 2001:111). Therefore these governments have on occasion hired PMCs to safeguard or enhance their authority. This is representative of Model 1 for the privatisation of security identified above. The ensuing

public-private alliance, often between the authorities of the weak state and Western firms, is recognised by other governments who prefer 'to deal with rulers who claim the mantle of globally recognized state sovereignty, rather than trying to organize relations with competing strongmen or abjuring influence altogether' (Reno 1997:167). Coker (1998:111) accordingly argues that this phenomenon 'should be seen for what it really is: more of a partnership between the public and private sectors to shore up fragile state structures'. Since the end of bipolarity these arrangements have become a feature of the weak states in Africa. However, governments facing similar problems elsewhere have turned to the market economy for security solutions as well.

The privatisation of security in weak states has thus partly originated from the need for governments to find substitutes for the lacking military and security backing. The profile of weak states means that the privatisation of security largely implies the privatisation of lethal violence, because security is often realised through military means. Through this privatisation route, PMCs have filled a security gap caused by the withdrawal of the superpowers. Filling the gap, however, has also come to signify a process of substitution of official assistance with market based assistance. Nearly any service offered by PMCs of proven record is a better alternative than the fragile alternatives that authorities can provide themselves. In these countries, the privatisation of state functions and the delivery of public services by foreign contractors have become one of the very few alternatives authorities can come up with in view of frail state institutions, lack of democratic procedures, faltering economies and corruption. Moreover, in some African states that succeeded in centralising violence, that control over violence 'turned out to be a liability when state agencies charged with its exercise turned against their ruler' (Reno 1997:184). Hence a necessary, albeit somewhat drastic measure, is to contract extra-state actors to do the jobs that local constabulary and military forces cannot accomplish on their own.

Lane argues that 'one solution to the problems of efficiency and opportunism in the public sector is to reduce the commitments of the state by moving the supply of certain goods and services out of the public sector completely' (Lane 2000:201). In the sphere of security, the highly competitive nature of the contemporary market in private military services ensures a degree of selectivity available to authorities for the contracting of private firms. This selectivity, in turn, fosters a degree of efficiency and transparency in the provision of security services. Whilst political factors and the personal preferences of rulers might indeed affect selection procedures, the potential for optimal selection in the light of exploitable market competition is within reach, even in the absence of formal tendering mechanisms.

In addition to possible partiality in optimal contracting, Model I for the privatisation of security poses the problem of faltering mediating mechanisms between the public and private sectors in service provision. At the outset, these countries lack either administrative capacity and internal cohesion or legitimacy, or both (Moreno & Anderson 2004:1-33).

It is a complex dynamic in which 'often critically short of expertise in macro-economic management, domestic authorities have to wrestle with the competing demands of economic stabilization and war-related (or peacebuilding) costs' (Carbonnier 2000:15). Therefore, given their minimal or ineffective governmental infrastructures, politicians or high-ranking military or law enforcement officials would need to assume a managerial role, too. Whereas external coaching of the officers performing the task might prove complex and controversial, it nevertheless remains an area in need of further consideration.

However, it could be possible to bring about competitive and transparent contracting of PMCs by ensuring that the tendering and selection of firms take place outside the affected weak states where services are to be rendered. This is likely to happen particularly when this takes place in advanced democracies and are subject to the arrangements outlined in the previous section. In such circumstances the second model for the privatisation of security comes into being. Model 2 is often contingent on broader reconstruction and relief initiatives originating from Western and multilateral donors. In a recent example, in 2003 the US pledged US\$35 million for the recruitment and training of the post-war Liberian military forces. The task was contracted out to DynCorp International and Pacific Architects and Engineers Inc (PAE). DynCorp assisted with the vetting, recruitment and provision of basic military training, and PAE with 'specialized advanced training, equipment, logistics, and base services' (Cook 2005:6).

More generally, various international police programmes or civilian police (CivPol) missions in conflict and post-conflict areas are partly handled by PMCs. CivPol forces are often empowered by a UN mandate and/or sponsored by multilateral organisations such as the OECD (DoD US 2005). The US first engaged in a CivPol mission in Haiti in 1994 and more than a decade later, there are ongoing American-led missions in countries ranging from Iraq and Afghanistan in the Middle East to Sudan and Liberia in Africa (DoD US 2005). The rebuilding of the Liberian security infrastructure is partly articulated through CivPol forces. De-mining and disposal of unexploded ordnance in conflict and post-conflict regions are also increasingly contracted out to private firms by governments and multilateral organisations. It should be also noted that although in Model 2 scenarios managerial and contractual discipline mediate the hiring of PMCs, this chiefly occurs at point of origin of the transaction. At point of delivery of services, however, the exported mediating interface coexists with the underdeveloped architecture characteristic to weak states.

Indeed, multilateral and non-government organisations contract services to the private military industry for the support of the missions they maintain in weak states. PMCs assist them, for example, in safeguarding of installations and personnel, the transport of people and distribution of aid goods, and de-mining and unexploded ordnance disposal. The use of PMCs in humanitarian missions 'is becoming far more common as agencies are being forced to work increasingly in insecure environments' (Lilly 2000:18). The

UN Procurement Division (UNPD) vets and buys services in some of the areas outlined above. The Global Compact, a UN initiative that seeks to foster responsible business practices through the adoption of ten universal principles in areas of anticorruption, the environment, human rights, and labour, inform UNPD contracting. At the same time, these requirements are balanced by economic efficiency, as the UN, like governments, seeks the lowest price on offer. The UN helps to lessen the public security gap of troubled states, on occasion partly with the assistance of PMCs, a process which implies 'power devolution' from the UN to the state, and then again to private companies. In this devolution, the UN and other organisations at times approach the somewhat carefully orchestrated principles of Model 2 of privatisation.

However, when the provision of a contracted security cover requires fortuitous arrangements, for example in response to a crisis, the privatisation process approximates the third model mentioned above. An understanding of Model 3 requires an analysis of the underlying economic factors.

Together with politico-military assistance, stability in weak states is partly dependent upon financial inflows. A delicate equation emerges connecting financial inflows to development, and development to security. Chauvet and Collier (cited in Wolf & Turner 2005) estimate that the average cost (net present value) of a single state with a Low Income Countries Under Stress (LICUS) status is about US\$82 billion. Yet the World Bank's LICUS trust fund, which aims to assist with strengthening state institutions and 'to support early efforts at policy reform and build capacity for social service delivery in the world's poorest countries', totalled only US\$25 million when it was created in January 2004 (World Bank 2004). More strikingly, based on Chauvet and Collier's estimate it appears that 'turning a LICUS into a more typical low-income country exceeds the world's annual aid budget'. This gives some idea of the scale and complexity of underdevelopment in Africa.

During the Cold War, superpower sponsored patronage resulted in financial aid to many weak states. The US and the West in general had a roster of client states that was larger than that of the Soviet Union (Menon 1986:84). However, in the transition to post-bipolarity, patterns of financial assistance changed. On the one hand, the aid deficit has been exacerbated by the unwillingness of international donors to see financial assistance misspent, or worse, to become an in-house transaction from the treasury of the state to the private bank account of its ruler. On the other hand, assistance has increasingly become conditional on state reform and the opening up of economies to foreign trade. In both cases a peculiar dynamic develops in which governments, multinational corporations (MNCs) and PMCs all play a role.

Some weak states are rich in mineral resources but lack the technical expertise and economic capability to exploit them and so grant exploitation rights to MNCs in

exchange for royalties, duties and taxes. However, the internal conditions in these states are not stable enough to guarantee the safety of assets, personnel and everyday operations of such MNCs. For example, the West Coast of Africa remains one of the world's most promising areas for oil exploration, but the region has been plagued by political instability and intermittent conflict since independence. Unlike manufacturing or trading operations, resource corporations 'cannot simply move their operations elsewhere when conflicts emerge' (Maresca 2000:45). In this context, governments also transferred responsibility for security to the market economy either by contracting PMCs themselves or by allowing international entities such as MNCs to make arrangements for their own security, who often also opt for a PMC.

For the governments of weak states willing to commit to the state reform agenda in exchange for financial assistance, MNCs become a solution to the problem of foreign investment. For the governments that seek to circumvent these arrangements, MNCs become a solution to the problem of external financial inflows. Either way, while these governments need the income generated by MNC operations, the long-term commitments of international business are partly dependent on the services rendered by PMCs. Yet in this scenario, macro-economic efficiency can be derived from the contracting of PMCs, as they guarantee an otherwise absent state income. Moreover, commercial imperatives move MNCs to select the best players in the market, hence encouraging efficient contracting. The moderate stability these private transactions create, or pockets of it to be precise, helps to keep weak states connected to the formal global economy. Since a security cover is also on occasion contracted by multilateral and non-governmental organisations, through either Model 2 or 3, PMCs facilitate continuous presence of humanitarian and relief communities too. These connections provide some hope for the developmental aspirations of these countries. On the other hand, by transferring security responsibilities to the market economy, the authorities of weak states grant an unusual degree of autonomy to the private sector in public security provision. In the absence of fully developed mediating mechanisms between the public and private sectors, Model 3 can also be open to abuse.

Apart from categorising the variable nature of connections between authorities, firms and multilateral organisations in the privatisation of security in weak states, the three models also highlight the critical problem of transnational contracting under NPM and in security provision. Current NPM research tends to emphasise service delivery at the national level, but not enough attention has been paid to the issue that while contracting out occurs at the national level, service delivery might take place abroad or evade national jurisdiction, and vice versa. In the delivery of conventional public services this might not be a serious problem. However, in the absence of international laws specifically sanctioning the private military trade and because very few countries have rules in place to regulate their domestic private military industry, transnational transactions represent an area of the NPM of security that needs further investigation.

A number of permutations arises due to variable state policies and the pace of NPM reform for each of the models. For example, weak state authorities who opt for Model 1 might forego the desirable outcome planned by donors willing to engage only in Model 2 activities. Similarly, some Western countries might become unwilling to support the ongoing multilateral-private partnership under Model 2, regardless of the position adopted by the authorities of the particular weak state that would receive the services. At the same time, given the right circumstances, privatisation under Model 3 could compete effectively with Model 2 and 1 scenarios.

This unstructured and incomplete articulation of otherwise identifiable market principles point to the desirability of a broader convergence between the agenda of the leading NPM reformers and that of the countries in the early stages of reform, even of statehood. With regard to the market for private military services, Avant argues that capable states such as the US ‘may direct security effectively, though, if it is a sovereign task, generally with some additional cost or political slippage’. Weak states, on the other hand, are less likely to direct private security provision ‘effectively or to have much demand on the market’s ecology’, as PMCs tend to be more responsive to ‘the interests that are bankrolling the weak state’s efforts’ (Avant 2005:220–221).

From this angle, leading reformers can learn from the extreme experience of weak states with regard to the privatisation of security. Ultimately, it is in weak states where many of the contracted services would be rendered, and the best-laid plans derailed, as happened in for example Iraq. Simultaneously, weak state authorities may benefit from learning about the practice and aspirations of the NPM agenda as conceived by the leading reformers. Inasmuch as Western donors need to afford weak state authorities a broader role in the selection of market alternatives, fragile authorities need to embrace NPM reform, particularly as they already allow and/or make extensive use of private security solutions.

Conclusions

In outlining three distinctive models for the privatisation of security in weak states, a mix of market parameters such as private competition, efficient contracting and optimal selection that are integral to the NPM logic, were discussed. These parameters are in flux and often realised incompletely. However, through their identification and refinement it is possible to move in a direction that encourages a more efficient and transparent contracting of private military services. In this respect, the article has shown both the permutations of some of the market principles underpinning the NPM logic as well as the deviations from the approach by reformers when targeting weak states with their initiatives. Even though the problems associated with this dual dynamic show that the convergence of the paradigm with security provision in weak states remains underdeveloped, it does

provide opportunities. The privatisation of security in weak states also makes it necessary to investigate further the transnational dimension of contracting out under NPM. This would make it possible to determine the future direction of the NPM of security globally, and clarify the role of PMCs in public sector reform.

Notes

- 1 The OECD is an advocate of NPM, particularly through the works of the Public Management Committee.
- 2 For the purposes of this article, the conceptual framework is used in which PMCs are defined as ‘legally established multinational commercial entities offering services that involve the potential to exercise force in a systematic way and by military means and/or the transfer or enhancement of that potential to clients’ (Ortiz 2007:60–62).
- 3 While South Africa is an important supplier of PMCs and personnel, it appears to have chosen to reduce its ‘reliance on the private sector for sovereign tasks’ (see Avant 2005:220).

References

- Avant, D D 2005. *The market for force. The consequences of privatizing security*. Cambridge: Cambridge University Press.
- Baker, B 2004. Uneasy partners: democratisation and new public management. In P Dibben, I Roper and G Wood (eds), *Contesting public sector reforms. Critical perspectives, international debates*. Basingstoke: Palgrave Macmillan.
- Barzelay, M 2002. Origins of the new public management. In M Kate, O Stephen and F Ewan (eds), *New public management. Current trends and future prospects*. London: Routledge.
- Begg, D, Fischer, S and Dornbush, R 2003. *Foundations of economics*. 2nd ed. London: McGraw-Hill.
- Carbonnier, G 2000. The carrot and the stick: reconsidering the conditions imposed on aid. *Forum*, 2:15.
- Clinton, B 1993. Remarks by President Clinton announcing the initiative to streamline government. Washington, DC: The White House, 3 March.
- Coker, C 1998. Outsourcing war. *Cambridge Review of International Affairs*, 113(1).
- Commission on Roles and Missions of the Armed Forces 2005. Directions for defense. Executive summary. Washington DC, 24 May.
- Cook, N 2005. *Liberia’s post-war recovery: key issues and developments*. CRS Report to Congress. Washington DC, 13 December.
- DoD (Department of Defence Australia) 2000. *Defence 2000: our future defence force*. Canberra: Defence Publishing Service.
- DoD Australia. 2005. *Australia’s national security: defence update 2005*. Canberra: Defence Publishing Service.
- DoD US (Department of Defense US) 2006. *Quadrennial defense review report*. Washington, DC, 6 February.
- DoD US 2005. *Fact sheet: the United States and international civilian policing*. Washington, DC, 18 May.
- DoD US 1995. *Annual report to the president and the congress*. Washington, DC, February, Part v.
- Department of National Defence 1994. *Defence White Paper*. Ottawa: Canadian Government Publishing. Available at www.dnd.ca [accessed 1 September 2007].
- Federal Business Opportunities 2007. Available at www.fedbizopps.gov [accessed 1 September 2007].
- General Services Administration (US). GSA schedules. Available at www.gsa.gov [accessed 1 September 2007].
- Hood, C 1991. A public management for all seasons? *Public Administration*, 69(1):3–19.
- Howe, H 2001. *Ambiguous order: military forces in African states*. Boulder, Colo: Lynne Rienner.
- Hughes, O E 1998. *Public management and administration: an introduction*. 2nd ed. London: Macmillan.
- International Institute for Strategic Studies 1998. *The military balance 1998–1999*. Oxford: Oxford University Press.

- Krahmann, E 2005. Controlling private military services in the UK and Germany: between partnership and regulation. *European Security*, 13(2).
- Lane, J 2000. *New public management*. London: Routledge.
- Lilly, D 2000. *The privatization of security and peacebuilding*. London: International Alert.
- Maresca, J J 2000. Investment in conflict-torn regions. *Forum*, 2.
- Menon, R 1986. *Soviet power and the third world*. New Haven, Conn: Yale University Press.
- Ministry of Defence 1998. Strategic defence review (CM 3999). London: The Stationery Office, July.
- Moreno, M and Anderson, M 2004. Fragile states: defining difficult environments for poverty reduction. *PRDE working papers*, 1:1–33.
- Murphy, E and Assad, S D 2006. Memorandum of agreement between DOD and GSA. Washington DC, 12 June.
- OECD (Organisation for Economic Cooperation and Development) 1995. *Governance in transition: public management reform in OECD countries*. Paris: OECD/PUMA.
- Ortiz, C 2007. The private military company: an entity at the center of overlapping spheres of commercial activity and responsibility. In T Jäger & G Kümmel (eds), *Private military and security companies. Chances, problems, pitfalls, and prospects*. Wiesbaden: VS Verlag.
- Peters, G 1996. *The future of governing: four emerging models*. Kansas: University Press of Kansas.
- Rainey, H G 1997. *Understanding and managing public organizations*. 2nd ed. San Francisco: Jossey-Bass.
- Reno, W 1997. African weak states and commercial alliances. *African Affairs*, 96(383).
- Rosenbloom, D H & Kravchuck, R S 2002. *Public administration: understanding management, politics, and law in the public sector*. 5th ed. New York: McGraw-Hill.
- UN (United Nations). UNDP: frequently asked questions. Available at www.un.org/depts/ptd/ [accessed 1 September 2007].
- Uttley, M R H 2004. Private contractors on deployed operations: the United Kingdom experience. *Defence Studies*, 4(2):161.
- Weber, M 1991. *From Max Weber: essays in sociology*. London: Routledge.
- Wolf, M and Turner, M 2005. The dilemma of fragile states. *The Financial Times*, 18 February.
- World Bank. 2004. Press Release 2004/208/S, 15 January.

Local dynamics of security in Africa: The Central African Republic and private security

Marco Boggero*

Introduction

Unprecedented challenges are faced by the Central African Republic (CAR), a country with a considerable potential for resource conflicts which in turn provides local leaders with opportunities for privatising security in exchange for natural resource concessions (Reno 1999). The CAR's recent history contains a number of cases of kidnappings and killings; roads have become impassable because of attacks by bandits, the so-called *zaraguinas*; and arms bazaars, like the one in the capital at *Kilomètre 5*, provide the necessary tools for any kind of organised violence. It could be said that that is where the sovereignty of the state ends, as it is argued in *The state stops at PK 12*, by Bierschenk and De Sardan (1997).

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A land-locked former French colony, the CAR was terra incognita until a century and a half ago. In 1889, with a ceremony consisting of the exchange of blood and burial of a rifle cartridge, a French administrator and a village chief inaugurated the colonial outpost of Bangui (Kalck 1993:78). The French colony became known as Oubangui-Chari until its decolonisation process, which started in 1958 and was completed in 1960. The founding father of the country, Barthélémy Boganda, died in a suspicious plane accident and after a few years of struggle between his former aides, Jean-Bédél Bokassa took power and declared himself first president, and later emperor. In recent years, elections resulted in various governments headed first by Horace Kolimba and later Ange-Félix Patassé until the latter was toppled by Francois Bozizé in 2003. In May 2005 a rebellion occurred in the north-western parts of the country and a few months later a second rebellion occurred in the north-eastern part.

The first rebellion was headed by the *Armée populaire pour la restauration de la république et de la démocratie* (APRD). Some of its members had served in Patassé's *Garde présidentielle* and some were young recruits in their teens who wore football T-shirts and sunglasses and were armed with archaic hunting rifles and knives. The APRD claims to be about 1 000 men strong (Africa Confidential 2007:48). In 2005, as Chadian forces were evacuated from the north-west of the CAR, the area was taken by APRD insurgents. They then moved towards the Kabo-Kaga Bandoro corridor, which was only 350 km from Bangui.

The second rebellion was led by the *Union des forces démocratiques pour le rassemblement* (UFDR), a coalition of three groups that united under this banner in September 2006 in Rwanda.¹ It comprises 500 to 1 000 fighters, located in the north-eastern part of the country. The town of Birao, capital of the region, is at the heart of the battle between this group of rebels and loyalists. Government troops succeeded in their counteroffensive only with French logistics support, which was augmented by a French air force attack followed by a paratrooper operation (ICG 2007:30).

The rebellions lead to a crisis of government. The Central African Armed Forces and presidential elite guards were the only forces that remained loyal to the government, but they were guilty of ruthless repression of the population, particularly in the north-west. Government forces, and especially the *Garde présidentielle*, perpetrated much of the violence and Amnesty International (2006) reported that soldiers targeted human rights workers and journalists because they denounced the violence against civilians. Scorched earth tactics caused hundreds of civilian casualties and more than two million persons were displaced. Paramilitary police units were set up to deal with 'banditry' in the capital and carried out summary killings of suspected 'rebels' and 'bandits' (Human Rights Watch 2007). With rising lawlessness and what observers described as a ghost government, the question is what was the response of the security providers, the traditional policing institutions? A second question that arises from this, concerns the state of the local private security sector and where it operated. These questions are explored in the next sections.

Ascending private security

There has been a tremendous increase in private security firms in Africa (Mills & Stremlau 1999, Howe 2004; Musah & Fayemi 2000). Private contractors form a large component of the American forces in both Iraq and Afghanistan, but in Africa private security has undergone a less visible but most remarkable expansion. Following a widely held dichotomy, one can distinguish between private military companies (PMCs) and private security companies (PSCs) (Singer 2003), although Avant (2004) prefers the term PSC as being the one that will eventually encapsulate both categories. In this paper the focus is on PSCs. In general, PSCs are the companies that provide services ranging from close protection (or bodyguard duties) to training, management and administration of corporate security programmes and embassies and protection of aid or humanitarian organisations. Unlike the specifically military companies, which specialise in selling military expertise and training, the chief focus of security companies is more benign and is oriented towards commercial clients. According to my research four main PSCs and one PMC are operating in the CAR. By comparison, there used to be as many as 90 registered PSCs in Angola with two of them controlling most of the market (Vines 1999:73). In fact, with the exception of South Africa, Angola had the highest number of firms in Africa (Vines 1999:73).

The following is based on actual interviews with PSCs: I was eventually able to meet with the representatives of three of the companies present in Bangui. One of the companies, in charge of the premises of the American embassy and of other private companies such as telecommunications operator Nationlink, could not be contacted in spite of repeated attempts. Another company, called King's Service, was more helpful. Their list of clients ranges from private medical facilities to telecom or extractive industry companies and to embassies. Mining companies, too, rely on the services of King's Service, both in the city of Bangui and in the field.² It is claimed that the local beer brewery, Mocaf, is also one of its clients. During the pillaging of 2003, their buildings were looted as were many other private stores, houses and public buildings. In the interviews the representatives were at times ambiguous about their operations and management of business relations, which is understandable if one accepts that a degree of discretion is necessary regarding the activities of the security sector.

Different commercial policies are applied, depending on the type and mission of the organisation. Contracts with embassies are the most lucrative, prestigious and sought after, with the monthly rate per embassy guard being FCFA150 000 (US\$314).³ The rate paid by other clients can be much lower, bottoming out at FCFA90 000 (US\$188) for humanitarian or development organisations.

King's Service, which was created in 1988, is one of the oldest companies. Amongst its many prestigious clients it numbers the Japanese Embassy (which it has served for 15 years) and the International Committee of the Red Cross (served for the last decade).

Its commercial spot, related by one of his representatives, features a raid on a house in the outskirts of Bangui. It has a staff of about 300 (it used to be as high as 480), with a central station and a task force of ten guards who are always on standby.

A former *sous-officier* of the French Army founded another company, called Powers, in 2003. After a career in the army and some years of active duty in Chad and other African locations, he created what turned out to be a profitable business venture. His clients are mostly French companies and include some well-known local enterprises. The company claims to have 650 trained guards, 250 of which are currently employed and under contract, while the rest are on standby and readily available. The personnel are all healthy young men who have at least a high school education. All of them undergo military and first aid training when they are hired. Powers provides the training, selection and deployment of local guards for key installations, as well as services such as threat assessment, consultancy (which includes an analysis of risk), crisis management (which entails working with clients on possible risk scenarios), and elaborate contingency planning, particularly for emergency evacuations.

The third company, Fox Sécurité, diversified its activities and has a presence in many parts of the country, apart from the capital city itself. For example, it provides guards in the north-eastern region near Darfur, in Birao and also has clients and guards in Bakouma, where uranium was found in a series of phosphate deposits where exploitation will start by the end of 2009. The presence of Fox Sécurité agents and cars, as well as the general presence of PSCs in the streets of the capital, Bangui, are very noticeable and exceed that of the police or gendarmerie.

An interesting feature of the local PSCs is that their employees are generally local men. Whereas international PSCs are able to 'handpick employees in a large pool of qualified applicants' (Vines 1999:47), local PSCs seem to hire locals, usually men in their early twenties. These men are not necessarily former soldiers or veterans, nor are they former employees of the traditional police corps, even though such persons would be state trained and possibly more experienced.

It is also notable that the private security sector is increasing in the CAR. The use of private security started in the 1990s and in fact, two PSCs were founded in the nineties. This increase in demand for private security may be ascribed to structural short-term reasons. However, during the last four years demand has been fuelled by the return of expatriates involved in externally financed development projects or humanitarian aid. (After the steep decline in funding in 2003, international funding it is now on the increase again. Foreign companies have been attracted by the exploitation of natural resources such as uranium and diamonds, the rapidly developing telecom industry and a revival of environmental schemes – EIU 2004.) In fact, one PSC was only founded in 2003 and a new PMC has appeared to insulate the president from the country's restlessness. Heavily armed South African mercenaries at present maintain security around President Bozizé,

reportedly as part of a three-year deal between South Africa and the CAR worth US\$50 million (Africa Confidential 2007:25).⁴ In the short term 'the growth of the sector has been counter-cyclic, and economic and political crises fuel the demand' (Lock 1999). The conclusion is that the growth of private security in the CAR follows the continental dynamic. The growth conforms to the pattern in the developing world and in this sense, fits a global process of commodification of security.⁵ As Peter Lock (1999:25) noted, 'growth rates of the sector are well above the average in industrial countries – 8 per cent annual growth – and virtually exploding in transition countries – 20 per cent annual growth, and in most parts of the Third World, 10–30 per cent annual growth'.

The growth of the industry occurs, at least in part, through the non-state actors that fund the security sector, which conforms to the statement by Avant (2004:154) that 'states are not the only organizations that finance security. Increasingly, non-state actors (NGOs, multinational corporations, and others) pay for security services-funding PSCs'. In the CAR, the International Rescue Committee, which is a non-government organisation (NGO), hired private security for their Bangui office as well as for a health project called Kaga Bandoro in the north-west of the country. The fact that many NGOs turn to private security in many contexts is well established. According to Deborah Avant (2004:153), for example, when the World Wildlife Fund was faced with the possible extinction of the northern white rhino in a park in the DRC, it solicited a bid from Saracen, a South African and Angolan security firm, to train and protect the guards.

If non-state actors fund the security sector the question is whether such non-state funding of security enhances or erodes public security? Because weak states frequently purchase services from the same PSCs, these firms should bring with them the potential for greater integration with international values. However, what Avant describes as improved social control in weak states, does not yet apply to the CAR. With a few exceptions, notably the South-African PMC that protects the president, the private security sector is still mostly local at this stage, which means that the assimilation of international norms and skills through PSCs is limited. Second, weak states could have short-term functional gains from contracting PSCs (Avant 2005:81). If state institutions are debilitated, a rising private sector may offer capabilities simply not available via the state. This leads to the next question, namely whether the presence of non-state actors provides further tools or does it, conversely, through a decreased monopoly on violence, perversely reinforce the use of violence? This is a question that is difficult to answer without an in-depth look at the dynamics of public security.

Dwindling public security

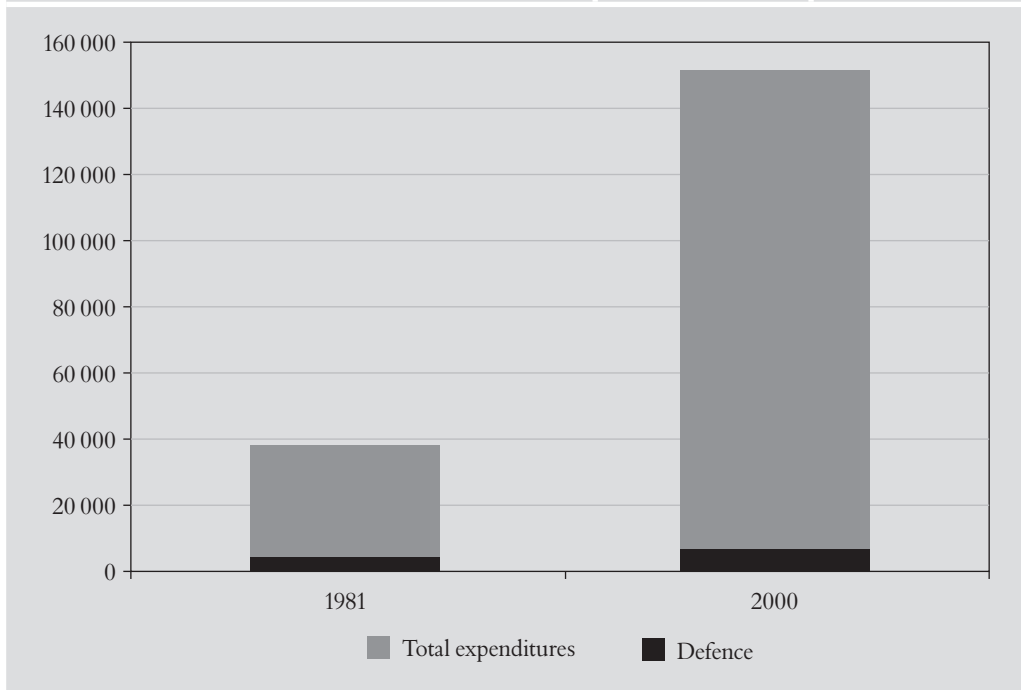
Three features emerge from my analysis of public security: a steep decline in government spending, poor coordination between traditional policing corps, and finally, a deep-seated corruption.

A study of the national budget shows that the proportion of the national budget allocated to security has decreased in the last two decades. The result is that the size of the military has decreased, too. For example, the portion allocated to the gendarmerie, a military corps that has some public security functions, dropped from 12,5 per cent of the national budget in 1981, to 4,6 per cent in 2000 (see table 1).

However, the definition of what should count as security forces is ambiguous in the CAR. There are at least three reasons for this: modifications in budget allocation, off-budget expenditures, and extra-national expenditure on security. First of all, changes in the budget allocation complicated my ability to compare data over a number of years. In 1980 the police force formed part of the *Département de la sécurité*, which no longer exists, and police expenditure now falls under the Ministry of the Interior. The second problem is that some military items may be financed entirely outside the government budget, so-called off-budget expenditures. The previous president, for example, had a personal militia, the *Karako*, with some 30 private security agents who had been hired by

Table 1 Relative expenditure on defence

Year	1981	2000
Defence	4 263	6 657
Total expenditure	34 085	144 527
Relative spending	12,5	4,6



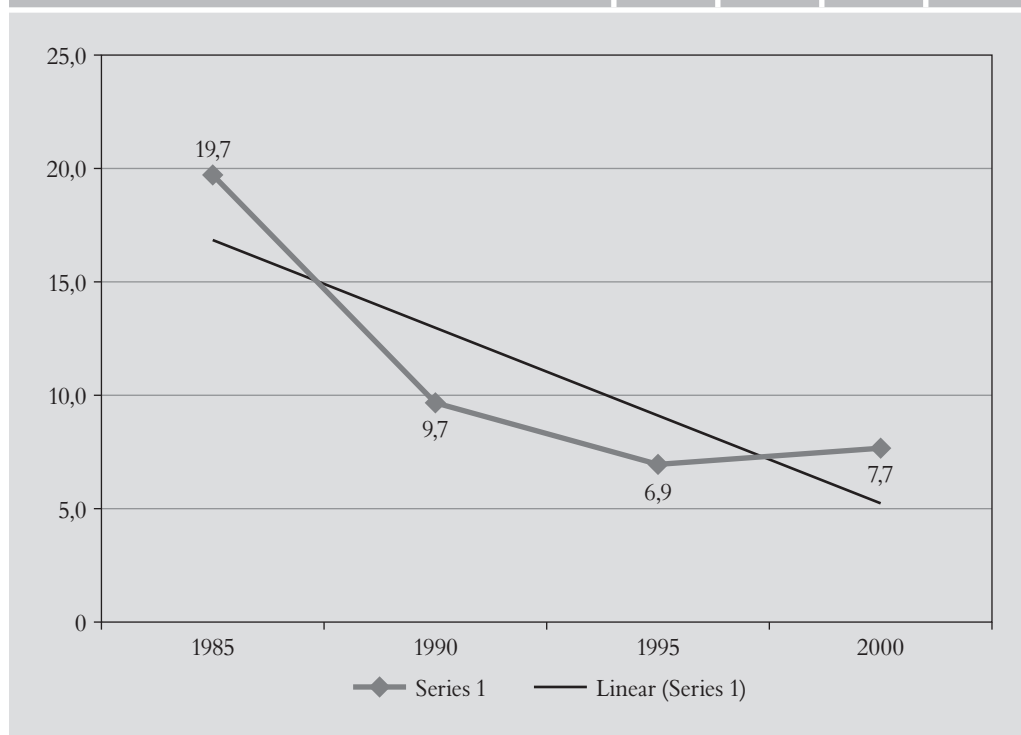
Source: Budget National de la République Centrafricaine (in millions of FCFA).

Captain Paul Barril, a former member of the French anti-terrorism unit (ICG 2007:13). It is likely that the cost of this private security for the president was off-budget. The cost of the PMC that recently arrived in the CAR is likely to be off-budget as well.

Third, data on military expenditure do not include expenditure on armed forces other than national expenditure. A multitude of regional or foreign interventions were assembled in the last two decades, including a UN peacekeeping force in 1997 and a CEMAC force in 2005 as well as various unilateral external interventions, such as the Libyan and Congolese soldiers who defended Patassé in 2002 and the Chadians who helped Bozizé in 2003. A recent example is the 380 soldiers of the FOMUC who cost 17 million in 2007 (ICG 2007:35).

Table 2 Evolution of spending on police and defence

Year	1985	1990	1995	2000
Ministry of Defence	5 362	5 696	6 496	6 657
Ministry of Interior	2 762	2 342	2 379	2 532
Total	10 109	10 028	10 870	11 189
Public security as a percentage of total government expenditure	19,7	9,7	6,9	7,7
Total government expenditure	51 212	103 344	156 749	144 527



Source: Budget National de la République Centrafricaine (in millions of FCFA).

In spite of these three constraints, the data that are available point to a significant relative fall in expenditure for the defence sector. The funding for public security allocated both to the ministries of the interior and defence has declined from 19,7 per cent of the national government expenditure in 1985 to less than 8 per cent in 2000 (see table 2). There is no direct link between the input of financial resources into public security and the output in terms of capability or security. How money translates into output depends on what the money is spent on and how the purchased resources are managed and used. However, military expenditure data are conceptually valid indicators of government priorities, in that they can serve as evidence of the relative priorities of government regarding security and non-security aspects.

Apart from the drop in the level of spending on public security, and a concomitant drop in the provision of security by the state, other weaknesses have appeared in the security structure. The government pays low salaries to the police, gendarmerie and armed forces. At times salaries are not paid at all for months, creating a fertile environment for corruption and unrest. Conflict over unpaid salaries resulted in mutiny by soldiers in Bangui on no less than three occasions, namely in 1996 and 1997 and again in 2001. Both the police and gendarmerie are notorious for deficient equipment and training and because co-ordination between the two public security providers is pretty poor, the *Garde présidentielle* is often called in to deal with any matters extending beyond mere traffic accidents. The official name of the Presidential Guards is *Bataillon de protection et de sécurité des institutions* and they are not only better paid than the rest of the armed forces, but also better armed, supplied with better equipment and are better trained. This elite corps consists of 800 men (ICG 2007:15) and it is perhaps not surprising that its expenses are not shown in the national budget. They have the status of a personal militia, and may be regarded as a paramilitary loyalist force that takes orders from the president only. It seems plausible to argue that the *Garde présidentielle* is hardly a part of public security and in the case of the CAR it seems that the argument of Clapham (1999:44), that national security forces that are hijacked by an unrepresentative government for its own gain should be considered as private security, holds good. It is beyond the scope of this article to ask whether the present government is indeed unrepresentative, but the president's *Garde présidentielle* does occupy a grey area in the security sector. What is more, the availability of new commercial networks and increased fears of the consolidation of internal rebels, have been seized as an opportunity for hiring another layer of soldiers for the president's personal protection.

Traditional institutions of public security are frail. The weakening of public security forces, sometimes part of a tactic to neutralise internal threats and reinforce a shadow state (Reno 1995), is a noticeable feature that highlights the limits of the policy shaped by successive governments. It should be added that it has been encouraged by policy incentives of the International Monetary Fund for cuts in public sector spending – usually of employees and their salaries – during the last two decades.

The question that begs an answer in view of the above is whether, if there is an increase in private security and a decline in public security forces, a market for force produced significant 'externalities', one of which was the weakening of public armed forces (Leander 2005a:615)? Is there a direct line of causation in specific cases, such as in the CAR, that clearly shows that private security weakens public security? Evidence of such a direct shift from public to private security would for example be that either funding or recruitment has moved from one sector to the other, in a substitution effect (Leander 2005a:615-616). A second factor would be employment opportunities offered by government. However, employment opportunities have increased in the private sector as a result of improved economic conditions. The fact that labour is mostly drawn from a young, abundantly available pool of human resources, is hardly an argument for the shift either. Based on the available data for these two variables, it is difficult to draw a conclusion about an externality.

An alternative externality could be studied in what Leander calls the 'Swiss cheese' security coverage (Leander 2005a:617) or an induced increase in the skewed distribution of security forces. This is the case in the northern part of the CAR, which has seemingly been abandoned by the armed forces. Here the state indeed stops at PK 12, as Bierschenk and De Sardan (1997) put it. In parts of the north-west of the CAR, an area where no private firms operate, the APRD rebel group enjoys a degree of sovereignty that allows it to fight its own battle against the *zaraguinas* (a group of masked bandits who terrorise inhabitants in the area) without interference. It attacks their bases (Bilakaré 2007), controls the kidnapping of *zaraguinas* for ransom (Africa Confidential 2007:25), and even executes them. Here the skewed distribution of security forces has resulted in the rebels taking over the role of the government. Clearly, the presence of private security is confined to the capital or very few locations in the countryside. The PSC that provides services in Bakouma is available only for those who can afford its services. There is also local market for force which provides selective services for some clients.

It is difficult to show that PSCs have made a crucial contribution to the perpetuation of the skewed or patchy security coverage. On the other hand, they have not contributed to reversing the trend. In an effort to correct this situation, an old project to restructure the army was approved by the European Union. For a sum of €7 million army barracks are to be built in each of the six military regions, which will result in a permanent presence of 500 to 600 men in each of the regions. The army would then have a more evenly distributed territorial presence.

Although there is insufficient data to provide incontrovertible evidence that the security situation in the CAR was the result of external factors (chief among them being the presence of PSCs), there is clearly a relationship between private and public security at the local level. The weakening of government armed forces in the CAR is only in part the result of the rise of a local market for private security forces. However, there is no

doubt that a growing private security sector potentially erodes the status of government security forces. As a result, more fundamental questions about sovereignty, transparency and accountability inevitably arise.

Local dynamics

Some remarks are necessary to illustrate the relevance of these findings. First of all, with regard to the origin of the local private security firms, it should be noted that in contrast to most of the scholarly literature, which is based on mercenaries or companies acting outside their countries of origin (Mandel 2002:11), the companies I studied are mostly local firms that provide security within the borders of the country itself. There are two firms which, although they operate in the CAR, do not qualify for the local label. One of the companies has considerable international connections – it serves foreign clients and its management is entirely foreign – so, in spite of its local registration, it can hardly be described as indigenous. The second exception is the firm that protects the president: its origins are South African, and it is furthermore the only PMC (in contrast to PSC) that I came across in my research. It is worthy of note that the use of this PMC represents a strategic shift and furthermore it represents a privatisation of the services originally provided by the *Garde présidentielle*. As such it is symptomatic of a weak-state ruler pursuing a warlord strategy (Reno 1999:218). With increased threats surrounding him, the weak-state ruler reinforces private international power bases rather than investing in state institutions and bureaucracy.

Apart from these two exceptions, most of the security sector can be said to have well-established local roots, a conclusion supported by the analysis of recruited personnel above.

A second point concerns the discourse of private security actors, which showed a distinctly biased interpretation of events related to Darfur. This was evident in interviews with the representatives of all the firms. On the one hand, descriptions often concerned the looting and destruction that had taken place during the 1996/97 army mutinies and drew on the unprecedented scale of destruction that occurred in Bangui during the coup of 2003. The same Chadian mercenaries who helped President Bozizé rise to power pillaged both Bangui and the Ouham-Pendé region; machinery from the cotton factories were dismantled and sold, as were hundreds of vehicles of the *Société Cotonnière Centrafricaine*, while the property of even hospitals and missionaries was not spared. On the other hand, the spill-over of violence from Darfur was often described as an element which resulted in more insecurity in the CAR in general and particularly in the town of Bangui. According to the representatives, this meant that security had become even more problematic and required increased investments.

This bias has two implications. The first is that one could assimilate the discourse in the techno-managerial vocabulary of security (Leander 2005a:618) that aims at depoliticising

security. The discourse of the private sector creates the risk of a vicious circle where the supply pushes demand (Leander 2002:9, Singer 2003:357–360, Leander 2005a) in which private firms in other words create their own market. Private contractors have to convince clients (eg governments) that the threats they are specialised in dealing with are the most imminent, the most real and the most important threats (Leander 2005a:612). It is debatable whether non-state actors can be influenced by such discourse. In their analysis of the local security situation – which precedes and informs their hiring of a PSCs or renewal of a contract – they examine a variety of sources. However, if the discourse is acknowledge, then there is a danger of self-perpetuation of supply.

The second implication is that it entails a reconfiguration of international political opinions at the micro-level. Chad and the CAR did suffer from some attacks launched from Darfur, but claiming that violence in the CAR spread from Darfur is an exaggeration. Security risks in the CAR are mostly related to *zaraguinas*, *Garde présidentielle* razzias or rebel activity that is distinct from the Darfur dynamics. Furthermore, a break in the chain of command of the APRD spiralled into a number of uncontrolled incidents and revenges (interview with rebel spokesman, Kaga Bandoro, in June 2007). As Marchal (2007:20) noted, ‘incidents in the Central African Republic and Chad have nothing to do with Sudan’. The micro-dynamics in the discourse of the private sector are also reflected in world views in which commentators linked the situation in Chad and the CAR to Darfur, for example in statements in the *New York Times* (9 July 2007) that ‘the cancer spread into Chad and the Central African Republic’ and ‘Genocidal violence extended into Chad and Central African Republic’ (Reeves 2008). Seemingly, numerous incidents occurring in Chad and the CAR were linked to the ‘genocide in Darfur’.

Conclusion

Although private security firms scarcely present the ultimate solution to solving wider conflicts, the study of the sector is relevant in African weak states where forces that operate outside the formal state boundaries play increasingly important roles. The growth of a local private security industry is a phenomenon that developed during the last two decades. The reliance on a local market can be shown to have some degree of externality on the traditional institutions that provide public security, but the relation between the two involves more than a simple trade-off. Underlying issues of eroded sovereignty and transparency and regulation of the industry are beyond the scope of this paper but are important and deserve more study.

In this article I tried to show that in the CAR, the private security sector constitutes a rising and local component of the ailing security sector, that it has a discourse, and that it represents an informal political and commercial network distinct from state institutions.

Notes

- 1 This is according to the International Crisis Group, which quotes a press release by Abakar Sabone, published on the icicemac.com website. (State International Crisis Group reference: République Centrafricaine: anatomie d'un État fantôme Rapport Afrique, 136, 13 décembre 2007.)
- 2 The CAR boasts a great variety of natural resources, including gold, uranium, copper and alluvial diamonds. Oil was discovered in the northeast (EIU 2004).
- 3 The information in this and the next paragraph was obtained by means of interviews with a number of members of PSCs during May 2007.
- 4 A report in *La Lettre du Continent* (13 September 2007, No 524:6) also mentions contacts between Israel and the CAR for a mining and military deal.
- 5 The term refers in general to the process in the urbanised Western countries but is also used elsewhere (cf C Spearin, quoted in Singer (2003) and Avant (2005)).

References

- Africa Confidential 2007 (online), 14 December [accessed 1 February 2008].
- Amnesty International 2007. Central African Republic: civilians in peril in the wild north. Report, 19 September. Available at <http://www.amnesty.org/en/library/info/AFR19/003/2007> [accessed 19 September 2007].
- Avant, D 2004. The privatization of security and change in the control of force. *International Studies Perspectives*, 5(2):153–157.
- Avant, D 2005. *The market for force: the consequences of private security*. Cambridge: Cambridge University Press.
- Bierschenk, T and De Sardan, O 1997. Local powers and a distant state in rural Central African Republic. *Journal of Modern African Studies*, 35(3):441–468.
- Cilliers, J and Mason, P 1999. *Peace, profit or plunder: the privatisation of security in war-torn African societies* [e-book]. Available at www.iss.co.za [accessed 5 December 2007].
- Clapham, C 1999. African security systems: privatisation and the scope for mercenary activity. In G Mills and J Stremlau (eds), *The privatization of security in Africa*. Johannesburg: South African Institute of International Affairs.
- EIU (Economist Intelligence Unit) 2004. Country Report. La Lettre du Continent, 13 September 2007, 524, 6. *Africa Confidential*, 48:2.
- Howe, H M 2004. *Ambiguous order, military forces in African states*. Boulder, Colo: Lynne Rienner.
- Human Rights Watch 2007. *Etat d'anarchie. Rébellions et exactions contre la population civile*. Report, 14 September. Available at hrw.org/french/reports/2007/car0907/ [accessed 13 December 2007].
- ICG (International Crisis Group) 2007. Central African Republic: anatomy of a phantom state. *Africa Report*, 136, 13 December.
- Kalck, P 1971. *Central African Republic: a failure in de-colonization*. New York: Praeger.
- Kalck, P 1993. *Un explorateur du centre de l'Afrique: Paul Crampel (1864–1891)*. Paris: L'Harmattan.
- Kristof, N 2007. Spineless on Sudan. *New York Times* (online), 9 July. Available at <http://select.nytimes.com/2007/07/09/opinion/09kristof.html?> [accessed 11 August 2007].
- Leander, A 2002. *Global ungovernance: mercenaries, states and the control over violence*. Copenhagen: Copenhagen Peace Research Institute.
- Leander, A 2005a. The market for force and public security: the destabilizing consequences of private military companies. *Journal of Peace Research*, 42(5):605–622.
- Leander, A 2005b. The power to construct international security: on the significance of private military companies. *Journal of International Studies*, 33(3):803–826.
- Leander, A and Van Munster, R 2007. Private security contractors in the debate about Darfur: Reflecting and reinforcing neo-liberal governmentality. *International Relations*, 21(2):201–216.
- Lock, P 1999. Africa, military downsizing and the growth in the security industry. In J Cilliers and P Mason (eds), *Peace, profit or plunder: the privatisation of security in war-torn African societies*. Pretoria: Institute for Security Studies.

- Mandel, R 2002. *Armies without states*. Boulder, Colo: Lynne Rienner.
- Marchal, R 2007. Chad, Sudan and Darfur: creeping conflict. *The World Today*, 63(4):20–21.
- Mills, G and Strelau, J (eds) 1999. *The privatization of security in Africa*. Johannesburg: South African Institute of International Affairs.
- Musah, A F and Fayemi, J K 2000. *Mercenaries: an African security dilemma*. London: Pluto Press.
- National de la République Centrafricaine 1981, 1985, 1990, 1995, 2000. Budget. Bangui: République Centrafricaine.
- Reeves, E 2008. A Central African affair: Chad's insurgency highlights ongoing genocide in Darfur. Carnegie Council for Ethics in International Affairs [online]. Available at http://cccia.org/resources/ethics_online/0018.html [accessed 11 February 2008].
- Reno, W 1995. *Corruption and state politics in Sierra Leone*. Cambridge: Cambridge University Press.
- Reno, W 1999. *Warlord politics and African states*. Boulder, Colo: Lynne Rienner
- Singer, P W 2003. *Corporate warriors: the rise of the privatized military industry*. Ithaca: Cornell University Press.
- Vines, A 1999. *Mercenaries and privatization of security in Africa*. In G Mills and J Strelau (eds), *The privatization of security in Africa*. Johannesburg: South African Institute of International Affairs.

Challenges in understanding terrorism in Africa: A human security perspective

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Introduction

Terrorism is not a new threat or concept for communities and governments in Africa. However, what is worrying is that Africans often use Western models to categorise terrorism, the tactics used and its impact. The result has been the development of double standards which have a negative impact on the understanding of terrorism in Africa. In addition, African countries (as did other countries throughout the world) re-enforced a state-centric approach in understanding as well as preventing and combating terrorism after the events of 9/11. Questions such as should terrorism be described as an act of war or a criminal act not only determine if the military or the police should be the driving

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force; it also influences the priority to address the underlying causes, the role of ordinary citizens and the role of civil society.

Probably one of the most challenging aspects in encouraging a human security perspective in Africa is to emphasise the need for a focus on the underlying factors that are driving individuals to resort to terrorism as a tactic. Associated with this challenge is the need to develop and implement a counterterrorism strategy conducive to a human security perspective. At the heart of this debate is the concept of 'state' and the health of political systems in Africa – especially in view of the fact that in the developing world that includes Africa, domestic terrorism presents a more immediate threat to security than does the transnational terrorism which is experienced in the developed world.

Notwithstanding these and other challenges, African countries are gradually beginning to realise that the threat of and vulnerability to terrorism differ from one continent to another, one sub-region to another and one country to another. This implies that sub-regions and countries will react differently, based on their unique perception of the threat. It furthermore implies that the African interpretation of the reason, threat and impact of terrorism will differ from that of other parts of the world. On the other hand, Africa cannot isolate itself from developments relating to the threat of terrorism in other parts of the world because factors such as globalisation, the Internet and the impact of United States' foreign policy in the Middle East directly influence perception formation and radicalisation that extend beyond national, or even continental, borders.

In this paper, the following aspects are dealt with briefly:

- What is understood by terrorism, security and human security
- The relationship between human security and terrorism. The focus is on domestic circumstances, for although international factors do impact on vulnerability, domestic circumstances have a greater impact on human security

This paper is in essence a summary of broader research.

Concepts

Terrorism

Because neither the international community (United Nations) nor scholars can decide on a single definition of terrorism, this discussion will be structured in terms of the mutual agreement or understanding that targeting civilians or non-combatants cannot

be accepted. Therefore, terrorism in a nutshell refers to ‘violent acts against a civilian population by state and non-state actors’.

This is in line with the definition by Boas Ganor (2008:18) that ‘[terrorism] is a violent struggle in which violence is deliberately used against civilians in order to achieve a political goal’. Unlike other definitions, this one applies to governments and their agencies as well as non-governmental groups and individuals. It further encompasses a number of actions of insurgents, para-militaries and other groups who resorted to terrorism as a tactic to achieve their (mostly political) goals. In political conflicts or periods of instability in a country, both sides may at times resort to terror tactics to coerce the population into supporting their causes or to equalise the playing field. At the Convention on the prevention and combating of terrorism, the Organisation of African Unity (OAU) defined an act of terrorism as ‘any act which is a violation of the criminal laws of a State Party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage’.

In general an act of terrorism includes the following elements:

- *Intimidation* – put fear into, force, coerce or induce a government, body, institution, the general public or segment of the population to perform or abstain from performing any act / adapt or abandon a particular point of view / act according to or against certain principles
- *Disruption* – of any public service / the delivery of an essential service / creation of a public emergency
- *Creation of general insurrection in a state* – to cause feelings of insecurity among the public (or a segment) / to induce, cause or spread feelings of terror, fear or panic

Although disruption will definitely limit the possibility of legitimate political dissent, the other two elements include a number of activities that should be classified as acts of terrorism. Precisely because not all acts of violence can be classified as terrorism, it reinforces the need to focus attention on what the terrorism as a concept means in the context of Africa.

Above it was noted that civil war and actions by governments against their own citizens may be regarded as forms of terrorism. The argument for this inclusion is that when a group resorts to violence against a government or segment of society it is regarded as terrorism, but when a government or security forces use the same (and even worse) methods, this is done in the name of security – or rather regime security. In terms of

the above elements, however, state terrorism should not be disregarded in the broader debate on terrorism, although this is often the case. Therefore actions by the state and agents of the state that fulfil the above criteria must be regarded as acts of terrorism. According to Kushner (2003:345) state terrorism has one goal in mind: 'Strengthening of government control by the complete intimidation of a population.' In this view the actions of a number of governments on the continent throughout history can only be described as suspect.

Although governments will seldom agree that their actions should be included in a definition on terrorism it is essential that both to contextualise the concept and to enhance an understanding of the concept on the African continent, state actions be included. This is also done in an attempt to eradicate existing double standards. As yet the categorisation of state terrorism as acts of terrorism remains an open question, but it is a notion that is starting to attract the attention of policy makers.

A former UN Secretary-General, Kofi Annan, recently stimulated debate on the matter with his definition of terrorism: 'An action is terrorism if it is intended to cause death or serious bodily harm to civilians or non-combatants with the purpose of intimidating a population or compelling a Government or an international organisation to do or abstain from doing any act' (Annan 2005:2). The deliberate use of weapons to kill innocent people must be condemned and eradicated, for it is as unworthy and inhuman as it is repulsive, like terrorism perpetrated in the past by oppressing states. But the right to resist cannot include the right to deliberately kill or maim civilians (Annan 2005). One might therefore argue that the definition of terrorism should be broadened to include aspects beyond those that were adequate to describe the concept in the 1960s and 1970s as threats to state security.

Security and human security

As with terrorism, it is easier to explain what the concept of human security entails than it is to provide one definition which is accepted by everyone. In essence human security can be described as a shift in focus from a state-centric framework based on a state's ability to protect itself, to a focus on the security of ordinary people. Another view is that state or traditional security entails 'hard' security involving state security structures as the primary agencies for its delivery, while human security entails 'soft' security that extends beyond state structures that also involve civil society and other non-state actors in delivery. Finally, transnational security is generally a state-only matter which seldom involves non-state actors, as it is fairly easy to exclude the public from defending the state against foreign enemies, but attainment of human security by preventing and combating terrorism (often from within the country) without including non-state actors and the broader public can only be described as impossible. In summary it could be said that while traditional security is predominately concerned with protecting the state against

foreign and domestic enemies, human security focuses on the protection and well-being of ordinary people.

The difference between traditional (state) and human security can be summarised as follows:

Traditional security	Human security
Hard security	Soft security
State centric	Focus on individuals and communities
Protection of the state against foreign enemies	Protection of individuals against domestic challenges – often the state itself
The state is the primary role player	Non-state actors, such as civil society and the media, play major roles

The Human Development Report of the UN (1994) identified seven security areas:

1. Economic security or the ability of people to provide for themselves through securing a basic income. Population growth, unemployment and illiteracy to name but a few factors, can prevent people from having equal opportunities. In addition to contributing to community tension, these factors can play an important role in the radicalisation process, leading disenfranchised groups to resort to terrorism as a tactic
2. Food security, which implies that all people have access to sufficient food
3. Health security or the protection against disease which ultimately includes access to healthcare, clean water and protection against susceptibility to disease stemming from malnutrition
4. Environmental security or the relationship between nature and human beings. This includes the threat of global warming and the prediction that, together with a lack of food security, a lack of environmental security will in the future result in conflicts based on changes in the environment
5. Personal security or protection from crime and interpersonal violence
6. Community security or the relationship between people from different ethnic, cultural and religious backgrounds
7. Political security or the relationship between the state and its populace

Four of above-mentioned factors have a direct or indirect relationship with the underlying causes or root causes of terrorism, namely political, community, personal and economic security. These factors will be discussed in greater detail in the next section.

Ultimately the question is why do we need to focus on a human security perspective when dealing with terrorism? In brief, the following three reasons provide insight into the need for an emphasis on human security in understanding and dealing with terrorism:

- Analysts need to understand why people resort to terrorism as a tactic, especially considering that a number of the factors which influence radicalisation does not take place overnight, in order to provide an accurate evaluation of terrorism and its causes
- At the heart of this analysis is the realisation that domestic grievances play a crucial role in the radicalisation process. Although the war in Iraq, US foreign policy in the Middle East or the Palestinian question might make people susceptible to radical interpretations and ideals, people living in favourable domestic circumstances on whom these realities do not have a direct impact, might think twice before becoming directly involved
- Vulnerability assessments, with the focus on early warning signals, are an essential element in the development of a proactive approach for the prevention and combating of terrorism

Underlying causes of terrorism in Africa

Despite the focus of world attention on transnational acts of terrorism with their dramatic and devastating consequences, the underlying causes can always be traced back to domestic grievances or circumstances of individuals. Recognising that it is an individual who is committing an act of terrorism, is therefore essential to an understanding of this reality. Further realising that individuals are moved to action by their own reality, a domestic one, leads to an appreciation of the essential role of the root causes of terrorism. In the final analysis, even the grievances of Osama bin Laden and his 'coalition' (al-Qaeda) started with domestic grievances. So, too, the perception that Muslim leaders do not govern in accordance with the principles of Islam (which originated with organisations such as *al-Ikwan al-Muslimin* or the Muslim Brotherhood in Egypt in 1928), is directly related to the political realities in these countries. Unfortunately, the strategy against transnational terrorism focuses extensively on the manifestation of terrorism in its tactical form, and does not address the underlying domestic causes.

The only way to identify factors that contribute to a country's vulnerability is to study conditions in countries in Africa that have been subject to terrorism. In other words, to explain acts of terrorism the causes that contributed to its manifestation need to be uncovered.

It is not denied that terrorism is caused by both internal and external factors. External factors that increase vulnerability to terrorism include the foreign policies of countries, in particular the US, as well as globalisation, especially in telecommunications, which have enabled like-minded individuals to unite and conspire against common enemies. Internal factors include domestic conditions that may lead to terrorist activities, for example economic deprivation, political oppression, government repression, and ethnic and religious persecution. However, the point is that the weight of the focus is on external factors, while internal factors are ignored or left out of the equation. The focus of this paper is on these often neglected domestic conditions.

In this paper, a paradigm shift is suggested in which terrorism is studied as a symptom and not merely a criminal act or an act of war. To use a metaphor, a fever is regarded as a symptom of an illness and is not treated in isolation. If it were, the body would find another way to manifest the illness. In addition, the sooner the illness can be diagnosed, the sooner it can be treated and the greater the possibility of recovery. Terrorism should be studied as a manifestation that 'something' in society, domestic or international, is 'not in order'. Equally important, when one considers the extensive effect of an act of terrorism, one should approach it from the assumption that the illness had presented previously under a different manifestation, but had been misdiagnosed. Owing to a wrong or late diagnosis, the underlying cause was not identified and addressed. If terrorism is treated merely based on its symptoms with the primary focus on arresting and prosecuting the perpetrators and without addressing the underlying cause, it will remain a threat to human security.

Taking the metaphor further, the point of departure should be that prevention is better than cure, and that a vulnerability assessment approach should be adopted. In the medical profession, the latest approach is to conduct genetic analyses to determine the likelihood of an illness, in the hope that it may be prevented or detected earlier. Similarly, governments and the international community need to be more 'in harmony' with their citizens. In other words, to enhance their ability to implement a successful and effective strategy to prevent and combat terrorism (domestic and transnational), governments should consider a human security approach. They should not involve only traditional security agencies in addressing the immediate threat and/or impact of terrorism.

With regard to terrorism and human security, the following factors need to be attended to, to understand terrorism in Africa.

Political conditions

Political conditions to which particular attention must be given are, first, the 'health' of the state and political system and, second, the response and strategies to prevent and combat terrorism in Africa.

With regard to the 'health' of the state or the nature and health of the political system of states in Africa, a number of questions need to be asked: Does the relevant state or the ruling elite only govern for its own interests? Does the state protect its citizens and create a safe environment for its populace to prosper? Can countries in Africa really be considered to be democratic?

A state can broadly be categorised as 'stable' when there is a high degree of political continuity in a political system, which allows free political participation and dissent (within legal boundaries). In terms of this definition only a limited number of states on the African continent can be categorised as stable. The 'state', in the African context, differs dramatically from Western principles. Colonialism and its aftermath are often blamed for this development, since individuals were placed in power that had only their own interests at heart, so that political power became synonymous with a monopoly over natural resources in particular. Gaining and keeping political power became the ultimate goal, often at any cost, without recognising the responsibilities implicit in such a powerful position. As a result, corruption and nepotism became the order of the day.

To break this cycle African countries must govern democratically. However, although elections are being held regularly, adherence to democratic principles extends well beyond holding regular elections. The classic definition of democracy as 'government of the people' is associated with fundamental political equality and participation of individuals in the political process, and guaranteed individual freedom. From definitions it is clear that democracy is based on two principles, namely majority rule and rights of the citizens. Liberal democracies are furthermore characterised by rule of law, transparency and accountability of government, a relationship of trust between government and its population, and political participation, including the freedom to participate in legitimate political dissent (Crelinsten 1998:389). However, with regard to the latter the question is, when does legitimate dissent become illegitimate dissent?

Unfortunately many of these democratic principles have been and are still disregarded in some African states.

Draconian or closed political systems fail to establish institutions to mediate between state and society. Restrictions on basic human rights, including freedom of expression, speech and association, contribute to frustrations and deprive people of the opportunity to change their governments democratically. Repressive political regimes that totally

disregard their responsibilities cannot be expected to represent the interests of at least the majority. None of the organisations implicated in acts of terrorism in the past recognised their governments as legitimate.

In addition to the direct threat of the state against its populace, a number of African countries are also guilty of exercising control over information, particularly the media, in the name of security. Although unlimited access to information by the public is unrealistic, closing down public media outlets and targeting of journalists as witnessed in for example Somalia, Egypt and Zimbabwe, pose a direct threat to human security. Control over the media serves government interests by not allowing the true picture, especially the abuse of state power and human rights, to become known.

The relationship between the state, its security forces and the public is of great importance. Africa still has a great deal to learn about the relationship between those in power and the populace, particularly in countries where security forces are being used to ensure regime security. Because of the damage to the relationship between security forces and ordinary citizens, security forces (along with the governments they keep in power) are confronted with a legitimacy crisis which is at times used and manipulated by individuals and groups to justify their use of violence.

Because of these realities and challenges to the development of a constructive political culture in Africa, communities in Africa have come to believe that the only way to bring about change is to take matters into their own hands.

In the final analysis political marginalisation is one of the root causes of domestic terrorism in Africa. As a result of crises of legitimacy, governments often use security forces to stay in power, and thus misuse traditional security to ensure regime security. Weak, failed and collapsed states and their relationship with terrorism are a source of heated academic debate, with one of the possible links between the perception of repression and terrorism being that it brings into question to whom loyalty is owed and with whom the repressed should identify. Lack of support from local communities for grievances of some of their members can equally be ascribed to the relationship between corruption and population involvement in government at all levels. It is in other words an extension of the negative relationship between the state and its security forces and the public at the higher levels.

The second aspect of political security is the state's response and strategies in preventing and combating terrorism. The first issue is that a number of states throughout the world, including Egypt and Zimbabwe in Africa, abused power in the name of preventing and combating terrorism often by targeting opposition groups or limiting political development. The second issue is that it is generally recognised that counter-terrorism measures could contribute to instability, and to terrorism. The correct counter-terrorism

strategy is of critical importance and should be carefully developed so as to prevent radicalisation, because strategies based on abuse of power, racial profiling and mass arrests could serve as push factors for terrorists.

It also reflects weaknesses, in that a campaign of mass arrests on the part of security forces, the aim generally being to collect information, reflects weaknesses in intelligence gathering strategies. Good human intelligence gathering is based on the ability of agents to infiltrate a cell or group or alternatively to recruit cell or organisation members to obtain information. Mass arrests as a means of information gathering thus serves to indicate failure by the intelligence community to succeed by means of less crude tactics.

Individuals who are jailed for lesser offences, sometimes not even associated with terrorism, could become radicalised in prisons. The background of individuals involved in suicide bombings in Morocco in March and April 2007 support this assessment. Abdelfattah Raydi, the suicide bomber on 11 March, had been jailed for five years for his association with the attackers, along with an estimated 3 000 people who had been arrested in Morocco since the 2003 attacks. This development is nothing new. Mass arrests to counter growing extremism in for example Algeria and Egypt during the late 1980s and early 1990s contributed to radicalisation, particularly amongst individuals who had played lesser roles in the terrorist movements. It is to be expected that such persons are likely to develop feelings of animosity towards their captors – driving those not formerly committed to the cause, to extremism and terrorism. Some countries have realised that such individuals might still consider, or come to consider, the use of violence as a viable strategy and have instituted religious education as a reform strategy. In this Middle Eastern countries such as Saudi Arabia are following the example of Egypt (in their agreement with *al-Gama'a al-Islamiyya*) to re-educate former terrorists in religion.

Forcing the public to provide the state with information (under normal circumstances considered to be a civic duty), is symptomatic of a poor relationship between the state and its security forces on the one hand, and the populace on the other. Because of the long history of a negative relationship between members of the security forces and the public, members of security forces are feared and regarded with suspicion. Obviously, a state needs information from its people to counter terrorism, and a lack in partnership will hinder cooperation. The only viable strategy is to build partnerships based on trust, by communicating through actions as well as words. For example, if countries with a Muslim minority use counterterrorism initiatives, such as counterterrorism legislation, exclusively or mainly against Muslim communities, it could lead to growing suspicion and isolation. It is therefore especially important to develop initiatives to build partnerships of trust by explaining that the strategies are not directed against all Muslims but only those who abuse Islam by using their personal interpretation to justify the use of violence in the name of religion.

Socio-economic conditions

Socio-economic conditions introduce the debate of whether there is a link between poverty and terrorism. Although this is an extremely sensitive matter, there are indications that when a number of factors such as poverty, unemployment and the large gap between the elite and majority exist, ordinary people may feel that they have nothing to lose. If found in combination with political factors, it could lead to alienation and radicalisation. However, it would seem as if poverty alone is not a sufficient reason to explain why individuals resort to terrorism.

In Morocco, for example, the backgrounds of individuals involved in the suicide attacks pointed to a combination of unemployment, poverty and social tensions, with the disillusionment and poverty in turn fuelling feelings of bitterness. Particularly persons involved in petty crime or drugs became the targets of Islamist extremist elements who used these conditions to their advantage to recruit foot soldiers who needed to redeem themselves and had nothing to lose. According to estimates, more than 35 per cent of Morocco's 30 million people are poor and more than 40 per cent are illiterate, while the wealth gap reflects a grim social picture in which 10 per cent of the population owns 85 per cent of the wealth (Ghanmi 2007). Both the suicide bombers in the 2003 Casablanca attacks, and those involved in the March and April 2007 attacks, grew up in slums such as Sidi Moumen and Douar Sekouila. After the 2003 bombings the Moroccan government initiated a campaign to clear the slums and construct affordable housing, sport stadiums and community centres. However, the execution of this strategy is slow and according to individuals interviewed the public still need to pay for their housing. Although a step in the right direction, people forced to stay in the slums seldom can afford better housing, placing a question mark on the initial aim of the initiative.

Apart from poverty and poor socio-economic conditions, a lack in education which limits prospects for the future as well as limited access to information create fertile grounds for recruiting the disenchanting to the terrorist cause. University graduates who struggle to find jobs are equally vulnerable, which highlights the importance of youth employment programmes.

Communal security

Communal security relates to the fact that marginalisation is another leading contributing factor to terrorism. Religious, ethnic and cultural marginalisation has contributed to numerous conflicts in Africa. Feelings of marginalisation tend to exist in situations where a group has a specific geographic location but no or little government representation. This is often followed by actual isolation, again providing fertile conditions for radicalisation.

Currently the religious divide in Africa is being manipulated to drive people to extremism and in a number of cases to acts of terrorism. Originally religion provided a sense of

identity and feelings of community and belonging, thereby bridging national, racial and language differences. This would lead one to expect that divisions based on religion would be minimised. However, *jihadists* would benefit from a world divided between Christianity and Islam with the war against terrorism being synonymous with a war against Islam. To achieve such a situation and to minimise the voice of moderates, mass media and the Internet are being used within the framework of fourth generation warfare. Therefore African nationals and states find themselves in the midst of a war between extremists and moderates for the heart and spirit of Islam, in addition to a war against terrorism.

Religion has a particular impact on the threat of transnational terrorism, for it enables disenchanted persons to recruit members across borders to their extreme views and actions.

Although governance has a direct impact on domestic terrorism, it also influences transnational terrorism indirectly. A number of countries in Africa have used the global war on terror as an excuse to delay reforms and commit extensive human rights abuses. Such situations exacerbate the existing divisions between those in power and the disenfranchised, which gives extremist movements an entry into such a country. Muslim countries are especially vulnerable since domestic legitimacy conflicts can be incorporated into a *jihadi* worldview. When freedom of expression and other civil liberties are protected, it provides non-violent ways to express political and/or social frustrations.

If this theory is correct, terrorist attacks are likely to increase under a repressive regime. Unfortunately, civil liberty is often the first casualty in the fight against terrorism and it is ironic that a lack of civil liberties in turn seems to be a major cause of terrorism around the world. In Africa, Algeria and Egypt serve as good examples of the exportation of domestic terrorism into a transnational network.

Human security perspective

A human security approach focuses on vulnerability of the general population and aims to address the root causes so as to prevent radicalisation, while a state-centric approach is reactionary in nature. The most effective counter-terrorism strategy is one that maintains a balance between a human security (soft) and a state-centric (hard) approach. In such a strategy both elements are important, with either taking precedence or taking over the role of the other. Unfortunately till now a reactive or hard approach has been favoured, which attempts to use agents and even military forces to deal with the threat of terrorism. The role of the military in an essentially criminal justice jurisdiction has been neither effective nor acceptable, however. One might even argue that their use has acted as a push factor for terrorism, rather than preventing radicalisation. This is not to imply that the military should be excluded completely, but rather that the counterterrorism measures should be in keeping with a specific threat or situation. Using the military

to go after a handful of previously identified suspects, or using conventional warfare tactics against an enemy that uses tactics associated with asymmetric warfare, can only be counter-productive. On the African continent, Somalia is an excellent example which illustrates the negative impact of such an approach. Indiscriminate shooting of civilians while explaining that their presence is for the greater good of the country will not go down well or win the hearts and minds of the people.

Use of the military to deal with a civilian population has proven to be challenging if not problematic more than once. If the assistance of a military is requested, the better option is to use Special Forces, who apply counter-insurgency tactics. Reliance on conventional forces and tactics in an unconventional 'conflict' will only lead to massive casualties and low morale and neither is the strategic objective of effectively dealing with the immediate threat without creating sympathy for the 'terrorists' likely to be achieved. Sympathy can easily be converted to an environment favourable to the 'enemy', in the form of the provision of safe havens, actual support (money, weaponry and knowledge) and direct involvement. Revenge, too, for the use of force or disrespect for human rights and due process can be used to recruit new followers. This reinforces that the use of force should be commensurate with its suitability as a tactic within a broader strategy.

The UN global counterterrorism strategy (UN 2006) can be regarded as a human security sensitive approach for preventing and combating terrorism. With particular reference to 'measures to address the conditions conducive to the spread of terrorism' which include 'lack of the rule of law and violations of human rights, ethnic national and religious discrimination, political exclusion, socio-economic marginalisation and lack of good governance', the UN and its members committed themselves to the following:

- With reference to community security:
 - '... initiatives and programmes to promote dialogue, tolerance and understanding among civilisations, cultures and peoples and religions, and to promote mutual respect for and prevent the defamation of religions, religious values, beliefs and cultures' (p 4)
 - 'To promote a culture of peace, justice and human development, ethnic, national and religious tolerance and respect for all religions, religious values, beliefs or cultures by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society' (p 4)
- With reference to economic security:
 - 'Realisation of development goals and objectives' (p 4)
 - '[addressing] youth unemployment could reduce marginalisation' (p 4)
- With reference to political security: 'Promotion and protection of human rights for all and the rule of law is essential to all components of the Strategy' (p 9)

Although the adoption of the resolution is definitely a step in the right direction, one does hope that states will not leave it at principles only, but also implement it. If this could be realised, with the focus on addressing the root causes of terrorism, states and the international community might experience a positive impact on the medium- to long-term initiatives in preventing and combating terrorism. However, in the interim countries need to adopt a holistic approach, in which the role played by state security forces should be intelligently implemented.

Conclusion

Once an understanding of vulnerability and the root causes of terrorism has been gained, a proactive approach can be developed by addressing the underlying causes of terrorism. Even if the emphasis is on the interrelationship between state and human security, the state is still the primary actor in responding to an act of terrorism, while non-state actors such as civil society and ordinary people should act in partnership with the state to identify and monitor developments that could prevent acts of terrorism.

Because it could be so effective, a human security approach would entail a pro-active approach to the understanding of terrorism. Knowledge, too, is an essential element of an early warning system and understanding the driving factors behind terrorism would make it possible to develop and implement a preventive and inclusive strategy against terrorism. Measures to prevent and combat terrorism should be understood to include both aspects.

References

- Annan, K 2005. *A global strategy for fighting terrorism*. International summit on democracy, terrorism and security, 8–11 March, Madrid. Keynote address to the closing plenary. Available at <http://english.safedemocracy.org/keynotes/a-global-strategy-for-fighting-terrorism.html> [accessed 1 April 2005].
- Crelinsten, R D 1998. The discourse and practice of counter-terrorism in liberal democracies. *The Australian Journal of Politics and History*, 44(3), 1 September. University of Queensland Press.
- Ganor, B 2008. *The counter-terrorism puzzle: a guide for decision makers*. New Brunswick: Transaction Publishers.
- Ghanmi, L 2007. Moroccans fear suicide attacks could wreck growth. Reuters, 15 April.
- Kushner, H W 2003. *Encyclopedia of terrorism*. London: Sage Publications.
- OAU (Organisation of African Unity) 1999. Convention on the prevention and combating of terrorism, Algiers. Available at http://www.africa-union.org/root/au/Documents/Treaties/Text/Algiers_convention%20on%20Terrorism.pdf [accessed 29 October 2007].
- UN (United Nations) 1994. Human development report. Available at <http://hdr.undp.org/en/reports/global/hdr1994> [accessed 10 January 2007].
- UN 2006. The United Nations global counter-terrorism strategy. Resolution 60/288. Adopted by the General Assembly on 20 September.

Enhancing counterterrorism cooperation in southern Africa

Eric Rosand and Jason Ipe*

Introduction

The threat of international terrorism has received little attention in southern Africa. It is in many ways a far less pressing threat than issues such as violent crime, poverty, public health and corruption. However, because of its relative prosperity coupled with relatively weak institutions and other vulnerabilities, the sub-region is a potentially attractive operating environment and target for transnational terrorist groups. Although there is no evidence that al-Qaeda or associated groups are currently operating in any large numbers in southern Africa, effective regional cooperation is important to ensure that it does not become a breeding ground or safe haven for them. Unfortunately, no

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common perception of the terrorist threat exists in the sub-region, the institutional capacity of governments is severely lacking, and there has yet to be a serious effort to devise a coherent sub-regional response.

This article begins with an overview of the terrorist threat and vulnerabilities in southern Africa and the capacity of its governments to respond. It focuses on the sub-region-wide response and the mechanisms of sub-regional cooperation, and how they may be improved. It also examines how the United Nations can help to strengthen that cooperation and the opportunity offered by the September 2006 UN Global Counter-Terrorism Strategy ('the Strategy') and the UN Counter-Terrorism Implementation Task Force (the Task Force),¹ which brings together 24 UN entities that deal with one or more aspect of the UN Strategy as part of an effort to improve the coordination and cooperation within the UN system on a broad range of counterterrorism issues, to allow the UN system to engage more effectively on counterterrorism-related issues with countries and other stakeholders in southern Africa. It concludes that for counterterrorism programmes to gain traction and be effective in the sub-region they must emphasise not only preventive law enforcement measures but also address fundamental shortcomings in institutional capacity and conditions conducive to the spread of terrorism. To devise an effective sub-regional response to the threat will require the engagement of a wide range of stakeholders with technical, financial and other resources, including states, regional and sub-regional bodies, the UN system and the bodies which form its Task Force, as well as other assistance providers and donors. This article identifies ways in which some of those actors can better engage on the issue and with one another to develop an effective, holistic approach to counterterrorism in southern Africa.

The terrorist threat, vulnerabilities and capacity in southern Africa

Southern Africa has not received much international attention in connection to transnational terrorism. Although there is no indication that al-Qaeda or groups associated with its global terrorist network operate in significant numbers in the region and it is not currently a hot-bed for recruitment and radicalisation, terrorism should nevertheless not be ignored.

In the past decade much of the focus on the problem of transnational terrorism in Africa has been on the Horn of Africa and the Maghreb, where many of the most prominent attacks have taken place. Yet the threat of global terrorism in southern Africa is also a matter of concern because of connections between the region and terrorist activities in Africa and beyond: so-called 'militant Islamic formations' in countries such as Mozambique and Tanzania are reported to be serving as corridors for 'international jihadis going to the Western Cape and Gauteng provinces in South Africa' (Fleming

2004). A number of al-Qaeda or al-Qaeda-related operatives – including nationals from southern African countries – have been arrested in the sub-region or captured in transit (Botha 2006:30).²

The sub-region, asserts Kurt Shillinger (2006), an expert at the South African Institute of International Affairs, ‘comprises a mix of economic strengths and state weaknesses, demographics and social “seams”, and historical links and attitudes that provide ample attraction and opportunity for terror-related activity’. For example, while certain countries have well-developed financial and transportation infrastructures, the sub-region generally suffers from lengthy and permeable borders, small arms trafficking, the lack of a strong legal counterterrorism framework, easily available travel documentation, poor bureaucratic capacity, corruption, mineral and other commodity smuggling, unique migration patterns, understaffed and under-resourced law enforcement agencies, and poverty, all of which present challenges and create a permissive environment that may foster and facilitate terrorism (Aning 2007). South Africa, as not only a major transportation hub with direct flights to both US and European capitals, but also a tourist destination that will be hosting the 2010 FIFA World Cup, offers numerous potential targets for terrorist attacks. Finally, noting a growing radicalisation among southern Africa’s migrant populations – including cases of harbouring terrorists from South Asia and the Middle East – many analysts have pointed out that southern Africa’s own Muslim population, while historically moderate and peaceful, is not immune to radicalisation (Shillinger 2006).

Perhaps the greatest obstacle to improving counterterrorism cooperation in southern Africa is the lack of any urgent or common perception of the threat posed by international (as opposed to domestic) terrorism. Although many states in southern Africa have suffered and continue to suffer from domestic terrorism over the years, they have tended to view international terrorism as primarily a Western problem, which is less salient to their own concerns than issues such as public health and crime. For example, although the majority of victims of the al-Qaeda bombings in Dar es Salaam in 1998 were locals, many Tanzanians still see terrorism ‘as a clash between al-Qaeda and the US, in which Tanzania just happened to be one venue for the attack’ (Nyang’oro 2007:106), rather than a key concern to their daily lives.

This attitude is not surprising, given the limited resources available in such countries and the fact that many more people are directly affected by HIV/Aids and other infectious diseases as well as crime, poverty and hunger than by global terrorism (Nadkarani 2004). Further, the public demands placed on often weak public institutions to address these concerns, as well as the demands posed by corruption and efforts to promote democratic reforms, frequently overshadow any calls for enhanced domestic efforts to respond to terrorist threats and vulnerabilities. This situation has been exacerbated by the limited amount of information governments in the sub-region make available about the terrorist

threat and vulnerabilities in southern Africa and the impact a terrorist attack would have on the region (Le Sage 2007:10).

A mixture of history and politics has made counterterrorism and its associated measures a potentially contentious issue for many countries in southern Africa and elsewhere across the continent. Present governments in a number of southern African states came to power only after having fought as 'freedom fighters' in national wars of liberation – for example, the African National Congress was labelled a 'terrorist' organisation by the US and the UK. The result of these dynamics, according to Professor Julius Nyang'oro (2007:106), 'is often an ambivalent posture by some countries – for instance South Africa – towards a generalised global war against terror'. This complex legacy means that some countries in southern Africa have been less willing to commit to international counterterrorism efforts, particularly when those efforts primarily focus on security measures (Du Plessis 2006:89).

In fact, there is a widespread perception in the sub-region that the international counterterrorism agenda – UN or otherwise mandated – is something imposed from the 'outside', dominated by the US, and of little relevance to countries in the region. In his 2004 address to the UN General Assembly, South African President Thabo Mbeki voiced the sub-region's ambivalence about joining the international counterterrorism campaign. He implicitly levelled criticism at the US and the Security Council, stating that the powerful states make 'the determination that terrorism and war constitute the central and principal threat and challenge that human civilisation faces ... What they will decide will translate into a set of obligatory injunctions issued by this Organisation [the UN], which all member nations will have to accept and implement' (Mbeki 2004).

Although terrorism has not been viewed as a top priority in the sub-region as a whole, some states have made progress in strengthening their counterterrorism capacities since September 2001 (UN Security Council 2006:20). In most cases, however, the motivating factor has been internal governance issues rather than terrorism *per se* (Nyang'oro 2007:108–109). Despite this recent progress, significant capacity gaps remain, whether it be the lack of a legal framework to deal with terrorism, limited capacity to prevent terrorist financing, low ratification of international counterterrorism instruments, or lack of effective border controls.

In addition, although a few countries in the sub-region have adopted comprehensive counterterrorism legislation and some have relevant legislation pending in national parliaments or awaiting parliamentary approval,³ many of these same states have been reluctant to become parties to the international and continental conventions and protocols related to combating terrorism, instruments which generally can help facilitate international law enforcement cooperation to bring suspected terrorists to justice. It is not clear whether lack of resources and capacity, which stems partly from not treating

counterterrorism as an urgent priority, or ambivalence at the political level, is the principal reason southern African states have generally not taken the necessary steps at the domestic level to implement fully their international and regional counterterrorism commitments.

Given the complexity of the challenges in southern Africa, a strategy focused on security and law enforcement – particularly one closely identified with the US – is unlikely to gain political traction among local stakeholders or adequately address the wide range of political, economic, and social conditions that create an environment conducive to the spread of terrorism. Only a strategy that focuses on much-needed institutional capacity-building and includes elements aimed at ‘reduc[ing] the hospitable environment for terrorists to recruit and thrive and ... deal[ing] with the prevalence of poverty, economic duress, interlocking conflicts, poor governance, and criminal networks, which are often exploited by terrorists’ (Gambari 2006, §9), and in which states in the sub-region have a sense of ownership, will be effective. An effective regional approach to counter-terrorism must also contend with the realities on the ground in a sub-region where more fundamental capacity problems often dwarf any perceived counterterrorism shortcomings and political sensitivities surrounding notions of ‘counterterrorism,’ even if broadly defined, make it difficult for political leaders to allocate limited resources to counterterrorism.

Facilitating effective counterterrorism cooperation in southern Africa requires a move away from a state-centric approach that focuses on short-term, security-related counterterrorism measures to a broader based one that includes a range of stakeholders, amongst them civil society, and focuses on what Professor Samuel Makinda (2006:31) has called ‘a long-term values-oriented formula based on institutions, development and social justice’.

The role of regional and sub-regional organisations

Regional and sub-regional bodies offer a potentially useful and often under-utilised forum for cooperating on counterterrorism. Such bodies are well suited to develop approaches that take into account cultural and other contextual issues and undertake region or sub-regional specific initiatives or other actions that complement and build upon global counterterrorism objectives. They often have at their disposal knowledge and expertise of such conditions and can thus play an important role as a bridge between the global counterterrorism framework and regional, sub-regional, and local actors.

Mirroring the debates that have taken place within individual African states, each intergovernmental body engaged in counterterrorism in Africa ‘has had to confront,

at the practical level, the debate which emerged after 9/11 as to whether terrorism, in its current state and manifestations, constitutes a serious threat to the continent on the same scale as poverty, the health crisis and internal conflicts' (Ewi & Aning 2006:33). This, as well as the need – particularly in the context of the US-led global war on terror – to protect and maintain Africa's focus on development, has complicated efforts of some multilateral bodies in Africa to work on counterterrorism (Ewi & Aning 2006:38).

Continental/regional level

At the continental level, the 53-member African Union (AU), whose objectives include the promotion of collective security and common values in Africa and whose membership includes all countries on the continent except Morocco, can play an important role in reinforcing international counterterrorism norms, standards and best practices. As a catalyst, the AU can first serve to empower states and regional economic commissions (RECs) and complement their activities where necessary and second act as an interface and bridge between the continent, its sub-regional bodies and, at the international level, the UN system.

However, the AU's attempts at stimulating and coordinating the counterterrorism efforts of its members, and serving as a transmitter for global counterterrorism norms, have been hampered by competing priorities within the African Peace and Security Council and the Peace and Security Commission, and by a lack of both institutional capacity and a common perception of the threat among AU members, many of whom see domestic terrorism, rather than global al-Qaeda-related terrorism, as the most immediate threat.⁴ Therefore, although the continent has devised a fairly robust normative framework which includes the 1999 Organisation of African Union (OAU) counterterrorism convention and the 2002 counterterrorism plan of action and 2004 protocol of the AU, many AU members have yet to implement that framework.

This continental counterterrorism framework has helped place global counterterrorism norms into an African context and illustrates that terrorism is not simply an externally imposed post-9/11 agenda. It is, however, not without its shortcomings: it has a narrow law enforcement focus and no mechanism to monitor state implementation. Further, there has been no serious reporting by AU member states on their implementation efforts as called for by the OAU convention. One of the reasons for adopting the protocol in 2004 was to identify the AU Peace and Security Council, the AU Commission and the RECs as the instruments responsible for promoting implementation. Despite being African instruments, the convention and protocol suffer from the same low ratification and implementation rate that the international counterterrorism instruments suffer from in Africa (AU 2007).⁵ The low levels of state implementation and the lack of critical debate surrounding the adoption of the different elements of the framework leave one to question the depth of the political support it enjoys (Wani 2007:49).

Drafted by two African academics, the AU model counterterrorism legislation is an example of a practical contribution the AU can make to improving cooperative counterterrorism efforts in the region. As of late 2007, a completed draft of the model law with the AU Peace and Security Council had been awaiting consideration by the AU member states for more than a year. The draft includes substantive, jurisdictional and judicial cooperation elements and is designed to provide African states with a template for the implementation of both African and international counterterrorism instruments. The lack of progress on the model law, however, may indicate 'institutional paralysis' within the AU on the issue of terrorism, the lack of political will of its members, and/or the existence of competing (and perhaps more urgent) priorities. If adopted, the model legislation could make it politically easier for leaders to press for the adoption of necessary counterterrorism and related implementing legislation without being seen as pushing an agenda imposed from the outside.

In addition to the AU Peace and Security Council and its commission, there are a number of other AU programmes and initiatives that relate both specifically and more generally to combating terrorism. Chief among them is the Algiers-based African Centre for Study and Research on Terrorism (ACSRT). The ACSRT is a structure of the AU Commission and the Peace and Security Council and was established by the AU in 2004 as its technical arm on matters related to terrorism and the implementation of the AU's counterterrorism programme, and complements the broader political focus of the AU Commission. According to the AU Commissioner for Peace and Security, Ambassador Said Djinnit, the goal of the ACSRT is to serve as a 'catalyst in translating into action the commitments of African countries by providing training and technical expertise' (ACSRT 2006). It envisions a highly integrated network of state and REC focal points coordinated centrally through Algiers. Although some focal points have still not been appointed, as of April 2008 the ACSRT had convened two meetings of all national and REC focal points and four sub-regional meetings, including one in November 2007 in South Africa. In addition, it has organised a few training seminars at its well-equipped facility in Algiers.

With its focus on training, information exchange, alerts and prevention, and its recently adopted cooperation agreement with the EU aimed at promoting the implementation of UN Security Council Resolution 1373 among its members, it is well placed to contribute to prevention and capacity building activities. In general, however, much like the AU Commission, a lack of human and financial resources has limited the ACSRT's ability to make practical contributions to fulfilling its wide-ranging mandate (Ewi & Aning 2006:43). For example, since its establishment the ACSRT has operated on a budget of US\$2 million which was provided by the host country, with four staff members. This is well short of the 52-member staff and US\$9 million budget envisioned in the programme adopted at the AU Summit in January 2006 – this was considered the minimum required to fund the centre's basic activities. Given these constraints, the ACSRT might more

practically focus on strengthening its coordination function through its network of focal points and rely on other institutional partners to carry out the research and technical assistance functions that were envisioned for the ACRST.

If the AU is to devise a holistic response to terrorism that includes not just preventive measures but also efforts to address conditions conducive to the spread of terrorism, efforts should be made to try to engage with the New Economic Partnership for African Development (Nepad), Africa's primary agenda for development. Nepad offers a comprehensive integrated strategic framework for the socio-economic development of the continent, within the institutional framework of the AU. In addition to poverty reduction, Nepad's goals include establishing the conditions for sustainable development by ensuring peace and security; democracy and good political, economic, and corporate governance; regional cooperation and integration; and capacity-building, all of which are critical to addressing conditions conducive to the spread of terrorism. Consideration could be given to incorporating continental counterterrorism standards into Nepad's system of accountability, the Africa Peer Review Mechanism, under which some African states have agreed to submit to voluntary peer review.

Sub-regional level

Given the institutional limitations of the AU, the key political difficulties among its members on the nature of the terrorist threat and how best to address it and the vast size of the continent, more meaningful counterterrorism cooperation might be possible at the sub-regional level in Africa.

The primary sub-regional organisation in southern Africa is the Southern African Development Community (SADC). Although SADC has yet to devise a sub-regional response or mechanism to address terrorism, it has adopted a number of protocols related to security that, although they do not contain the terrorism or counterterrorism label, nevertheless relate to certain aspects of the issue, for example small arms and drug trafficking. SADC's difficulties in formulating an effective sub-regional response to terrorism largely reflect not only the lack of a common threat perception among its members, but also their more urgent political priorities. As a result, most of the counterterrorism activity in the sub-region has been carried out by individual SADC members, not by or through the organisation itself. Following from this, the SADC secretariat does not have staff or resources devoted to counterterrorism *per se*, although its legal unit has sought to provide guidance on implementation of the international conventions and protocols related to terrorism and relevant Security Council resolutions. Generally speaking, much of SADC's work in the field of terrorism, as in other areas, has been conducted at its annual gatherings of heads of state, without necessarily mandating further action by the body's secretariat between the meetings (Nyang'oro 2007:106).

However, partly as a result of engagement by the UN Office of Drugs and Crime (UNODC) based in Vienna, SADC may be turning a corner in this area. In December 2006, UNODC brought together some 40 senior SADC government officials and experts in Namibia, marking the first time SADC member state officials met specifically on the issue of how the sub-region could improve its response to terrorism (Weidlich 2006). A follow-up workshop was held in late November 2007, where experts from UNODC and the Counter-Terrorism Executive Directorate (CTED) of the Security Council offered assistance to those SADC countries that are late in submitting reports on their implementation of counterterrorism obligations imposed by the council.⁶

There are further signs of progress within SADC. For example, the SADC secretariat is in the process of conducting the first sub-regional threat assessment with a view to devising a sub-regional counterterrorism strategy and has now established formal contact with the ACSRT. Other possible SADC activities could include formal endorsement of the UN Global Counter-Terrorism Strategy, and convening of sub-regional functional workshops, which might bring together experts from across the sub-region to receive training on specific elements of the Strategy.

If SADC can overcome its historic financial and human resources limitations, the organisation would be well placed to develop a range of programmes that could contribute to improving sub-regional counterterrorism cooperation, while not necessarily labelling them as 'counterterrorism' (given the continuing sensitivities among the membership on this issue). Ultimately, however, while SADC has an essential role to play, particularly in providing political leadership on the issue, the initiative for more SADC engagement on counterterrorism must come from its own member states. They should recognise the 'big picture that economic development, foreign investment, and domestic spending requirements could be seriously affected if terrorists attack their territory or use their territory to attack others' (Nyang'oro 2007:111).

Unlike SADC, which will need to overcome political obstacles and financial limitations to play a meaningful role in sub-regional counterterrorism efforts, the existing programmes of two organisations with a technical focus, namely the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO) and the Eastern and Southern African Anti-Money Laundering Group (ESAAMLG), are already making significant contributions to discrete aspects of counterterrorism and offer sub-regional models that could be replicated with other relevant counterterrorism issues. In both instances, sub-regional cooperation has been possible because transnational crime and money laundering were perceived to be threats common to all countries in the sub-region.

The 12-member SARPCCO was established in September 1994 as an independent international police organisation, with a focus on the prevention and fighting of cross-border crime, including the trafficking of weapons.⁷ It is now part of SADC's Organ

for Politics, Defence and Security. The SARPCCO secretariat is housed in Interpol's sub-regional bureau in Harare, so it is essentially a part of that international body, which gives it direct access to Interpol's resources and expertise. It disseminates relevant intelligence and information to the appropriate bodies across the region and coordinates joint enforcement strategies to combat transnational crime (Rifer 2005:112). While its 12 members ostensibly have access to Interpol's I-24/7 network, the extent to which they make effective use of this and other Interpol tools, including by making access to them available at critical frontline locations such as border crossings and airports, varies significantly from country to country.

As a result of its close relationship with Interpol, with its wealth of expertise and resources, and the fact that law enforcement officials in southern Africa do in fact see terrorism and the related threat of cross-border crime as priorities, SARPCCO has been able to develop and implement a series of practical counterterrorism programmes. These include the creation of a counterterrorism desk at Interpol's sub-regional bureau to assess relevant legislation in member countries, determine gaps and strengths, and make recommendations to the SARPCCO legal sub-committee; the SARPCCO model counterterrorism law; a counterterrorism training curriculum to ensure that regional and international obligations with regard to the prevention and combating of terrorism are understood by trainees; and a human rights training programme to ensure respect for human rights and rule of law by law enforcement officers (Hifindaka 2007).⁸

The 14-member ESAAMLG⁹ has a critical role to play in building regional anti-money laundering and counterterrorism efforts by promoting the adoption and implementation of the 40 recommendations on money laundering and nine special recommendations on terrorist financing of the Financial Action Task Force (FATF). ESAAMLG was established as a FATF-style regional body in 1999 in the eastern and southern regions of Africa and operates under a memorandum of understanding in terms of which all member countries are committed to the implementation the FATF standards, as well as any other relevant measures contained in multilateral agreements to which they are party and relevant UN Security Council resolutions. Among ESAAMLG's core activities are researching the trends and types of money laundering and financing of terrorism activities in the region with a view of understanding emerging vulnerabilities and developing appropriate actions to prevent the threats (Kisanga 2007). The organisation is also engaged in a programme of mutual evaluation of the anti-money laundering and counterterrorist financing regimes operating in member countries. These assessments provide information on weaknesses that exist in the member countries and provide recommendations on the actions needed to strengthen their laws and regulations (Kisanga 2007).¹⁰

As the regional arm of a global standard-setting body, ESAAMLG has succeeded in placing the global FATF standards in the appropriate regional and cultural context and therefore helped enhance political support for those standards among the members of

ESAAMLG. Further, by creating the category of ‘cooperating partner’, ESAAMLG has been able to sustain the engagement of both key bilateral and multilateral donors and technical assistance providers, which has helped ensure that the organisation does not suffer from the human and financial resource constraints that plague some other regional and sub-regional bodies.

Despite ESAAMLG’s achievements, the capacities of its member countries to implement the FATF standards remain low. For example, most countries still have limited capacity to prevent the financing of terrorism or to prosecute and investigate terrorist cases, and few have made progress on issues such as regulating alternative remittance systems. As of May 2007, only Mauritius and South Africa had established financial intelligence units or centres (Egmont Group, November 2007).¹¹ In addition, ESAAMLG is limited in that four countries in the sub-region, namely Angola, the Comoros, the Democratic Republic of Congo and Madagascar are not members. It has, however, made those countries targets for absorption.

ESAAMLG includes a number of the elements which make it particularly effective, including adequate human and financial resources, links with a global standard setting body and bilateral and multilateral donors, capacity-building programmes, implementation assessments, and the political buy-in from its member countries. Consideration should be given as to whether this approach could be replicated in southern Africa with respect to other discrete issues related to counterterrorism, such as border security.

More attention should be given to identifying ways to deepen the coordination and cooperation among ESAAMLG, SADC and SARPCCO, the three main sub-regional bodies in southern Africa. For example, there should be closer coordination among the bodies in the planning and implementation of projects. This cooperation could be accomplished through an informal task force or working group on counterterrorism. Despite the overlapping mandates in certain areas and overlapping membership, cooperation and coordination among the bodies have been minimal to date. The recent absorption of SARPCCO into SADC’s Organ for Peace, Defence and Security should improve the situation somewhat with respect to those bodies, but certain organisational and political issues still have to be resolved and efforts should be made to engage more with ESAAMLG.

Apart from deepening cooperation and coordination among the key sub-regional actors, SADC should assume a leadership role in promoting and coordinating sub-regional counterterrorism efforts as it has the broadest mandate of the three bodies. Its broad mandate, a regional security mechanism in the form of its Organ for Peace, Defence and Security, a functioning, albeit under-resourced, secretariat, and a series of protocols related to counterterrorism (although still lacking one on terrorism) also means that SADC has much of the institutional framework necessary to allow it to play this role

(Rifer 2005:114). Apart from overcoming the political differences among members that have so far inhibited the development of a meaningful SADC counterterrorism programme, the challenge will be whether SADC can attract the donor support to provide it with the necessary human and financial resources.

The partnership between the Institute for Security Studies and the Intergovernmental Authority on Development's International Capacity Building Programme against Terrorism (ICPAT) in East Africa represents an innovative approach to developing and implementing a well-resourced and effective counterterrorism programme that could be applied to SADC. Funded by European and other donors, staffed by a regionally representative implementation team, and managed by an NGO research centre, the ICPAT programme focuses on capacity and confidence building measures in the Horn of Africa, working closely with partners at the regional and global level. Although capacity in the Horn remains low, ICPAT's technical focus has allowed it to cut through some of the political tensions that permeate that sub-region. SADC members, the SADC secretariat and donors should study this approach as well as others being taken by different regional and sub-regional bodies, when considering whether and how to build effective counterterrorism programmes.

The role of the UN system

The UN can play an important role in augmenting the capacity of countries and regional and sub-regional organisations to act against terrorism in southern Africa. The relevant parts of the UN system include both the traditional counterterrorism bodies such as the various Security Council bodies and the Terrorism Prevention Branch (TPB) of the UN Office of Drugs and Crime (UNODC) as well as entities not traditionally associated with counterterrorism, such as the Office of the High Commissioner for Human Rights (OHCHR), the UN Development Programme (UNDP), the Office of the UN High Commissioner for Refugees (UNHCR), and the UN Educational, Scientific and Cultural Organisation (UNESCO). The UN system has important roles to play in promoting counterterrorism norms and standards, building the capacity of states to combat terrorism, and facilitating technical cooperation between states.

The Security Council's Counter-Terrorism Committee (CTC), with the support of its expert group, the Counter-Terrorism Executive Directorate (CTED), is charged with monitoring the implementation of Security Council Resolution 1373, which imposed a range of security-related counterterrorism obligations on all UN member states. Amongst others, the CTC/CTED is responsible for facilitating the delivery of counter-terrorism technical assistance to states that it has identified as needing help implementing the provisions of the resolution, as well as engaging with and coordinating the counterterrorism activities of international, regional and sub-regional bodies.

To date, the CTC/CTED has had limited impact in southern Africa. There are some signs, however, that the situation will improve as the CTC/CTED moves away from reliance on written country reports and seeks to engage more directly and informally with experts in capitals (as opposed to diplomats in New York) and the appointment of a highly qualified and experienced senior counterterrorism official to head the CTED in the fall of 2007. However, the controversial nature of Resolution 1373, its narrow approach to addressing the threat, and the perception that it is part of a US-led, Western-imposed agenda, may continue to make it difficult for the CTC/CTED to obtain full cooperation from and engagement by states in the sub-region.

The 1267 Committee – the Security Council committee responsible for maintaining and overseeing implementation of the financial sanctions, arms embargoes and travel bans against the Taliban, al-Qaeda, Osama bin Laden and associated individuals – is a critical means for internationalising sanctions against individuals and entities on its consolidated list. Although Security Council designations and the actions of the committee have led to the freezing of millions of dollars worldwide, many countries in southern Africa still do not have the legal or institutional framework in place to implement the mandated asset freezes. Twenty-five countries in Africa, including five in southern Africa, have failed to submit reports to the committee on implementation of the mandated sanctions and fewer still have the demonstrated capacity to implement the travel ban and arms embargo also overseen by the committee. The UN list and changes to it are often not circulated by states in southern Africa to the relevant border and other officials in a timely fashion, if at all, and there is no automatic application of the consolidated list in many southern African states. Further, the absence of active financial intelligence units in all but South Africa and Mauritius means that much of the necessary financial intelligence, not only from domestic transactions but also from financial flows between financial centres in South Africa and other countries in the sub-region, is not being collected. Enforcement of the travel ban in the region is hampered by easy access to and widespread use of fraudulent travel documents, the limited use of technology to detect fraudulent identification, such as scanners and machine readable travel documents, and porous/illegal border crossings.

Unfortunately, the political fallout over the US attempt to add two South African nationals to the 1267 Committee's consolidated list continues to make it difficult for certain countries in the region to actively and publicly support the activities of the 1267 Committee. It has also served to reinforce perceptions in the sub-region that the committee and other elements of the UN counterterrorism effort are mere proxies in the US-led global war on terror (see for example Brown 2007).

The efforts of UNODC have been somewhat more successful. Through its TPB and Global Programme against Money Laundering (GPML), it is a main provider of counterterrorism technical assistance. TBP's efforts focus primarily on helping states join and implement the 16 universal anti-terrorism conventions and protocols by

providing legislative drafting assistance, conducting workshops and training criminal justice professionals, and preparing model laws and implementation kits. As noted above, UNODC has held and plans additional workshops in the region in partnership with CTED and SADC. To help sustain its involvement in the sub-region, UNODC has also signed formal partnership agreements with SADC and SARPCCO. Aiding its sub-regional outreach, UNODC has an office located in Pretoria and the GPML has placed an expert within the ESAAMLG secretariat in Dar es Salaam.

Although ratification of the universal anti-terrorism conventions has increased since 2001, the accession rate in sub-Saharan Africa is the lowest of any region. Of SADC's 15 member countries, only eight have joined more than half of these conventions, with some lacking the necessary domestic implementing legislation (UNODC 2007).¹² UNODC and other assistance providers face significant challenges in realising the effective delivery of assistance, including uneven support for international counterterrorism efforts in view of more urgent domestic priorities; improving coordination among assistance providers to improve efficiency and minimise the burden on recipient countries; ensuring countries have the minimum institutional capacity to in fact benefit from assistance; and checklist and one-off capacity building initiatives that do not include the follow-up necessary to maximise the impact of assistance.¹³

Although fully independent from the UN, Interpol is an active member of the Task Force and its database of lost and stolen travel documents, to which 124 countries have contributed almost 15 million documents (26 countries in sub-Saharan Africa have contributed approximately 90 000 of these), is an essential tool in facilitating counterterrorism cooperation in southern Africa and other parts of the globe (Interpol 2007). Interpol also facilitates cooperation and maintains databases on other critical law enforcement information such as fingerprints, wanted persons and illicit weapons, as well as maintaining a terrorism watch list. While nearly all Interpol member countries in Africa have joined the I-24/7 communications network, which enables law enforcement agencies to share information and access those databases (Interpol 2007), there is still poor/inadequate access to these important tools within most countries in the sub-region in general, especially at critical front line locations such as border crossings.

UN functional organisations such as the International Maritime Organisation, the International Civilian Aviation Organisation, and the World Customs Organisation publicise international counterterrorism standards and best practices, monitor their implementation, and work to varying degrees with their member states to provide assistance and otherwise improve implementation of those standards. The capacity building and standard setting work these functional bodies perform is of particular importance in a sub-region where such significant capacity gaps exist. Sub-regional bodies, SADC in particular, could be useful in brokering technical assistance and maintaining the political will necessary to improve implementation of these standards.

OHCHR provides legislative and other assistance to states in this field in order to ensure that actions taken to counter terrorism respect human rights and the rule of law.

Finally, although mention of the organisation itself in the context of UN counterterrorism efforts remains politically sensitive for some, areas for which UNDP is responsible, such as promoting good governance, poverty reduction, the rule of law and social inclusion, can make significant contributions to addressing the conditions conducive to the spread of terrorism. With an overall budget of just under US\$5 billion, UNDP typically acts in partnership with member states to provide guidance and technical assistance for development projects (UNDP 2002). It also conducts programmes on democratic governance, the rule of law, justice and security, conflict prevention and recovery and empowering marginalised groups.¹⁴

UNDP is perhaps the best represented UN agency on the ground, with resident representatives throughout the sub-region. They are generally also the UN resident coordinators responsible for promoting coherence among the different parts of the UN system operating in a particular country. Although it has been reluctant to involve itself or associate any of its activities with combating terrorism, UNDP may be the organisation best placed to coordinate in-country technical assistance programmes. Although UNDP is represented on the Task Force, has contributed to its online handbook and participated in some of its working group meetings, it is difficult to determine whether any practical cooperation has occurred as a result. There may be little to gain (and in fact a great deal lost) from applying the rubric of counterterrorism to UNDP's efforts, but this should not preclude highlighting the important role UNDP plays in helping to address conditions conducive to the spread of terrorism and interrelated capacity gaps in the region.

The significance of the UN Strategy for southern Africa

The adoption of the UN Strategy by the UN General Assembly in September 2006 is significant for southern Africa for several reasons. First, the UN's global membership has agreed for the first time that addressing conditions conducive to the spread of terrorism is an essential part of an effective and comprehensive strategy to combat and prevent terrorism. By incorporating much of the development agenda, in particular achieving the Millennium Development Goals and thus not limiting itself to a security agenda, the UN Strategy should make it easier not only for UNDP to become involved in counterterrorism issues, but also for stakeholders in southern Africa to build political support for implementing the UN counterterrorism framework. This broad-based approach to combating terrorism is qualitatively different from the international and continental conventions and protocols, which generally focus more narrowly on law

enforcement cooperation, and should be welcomed by those who have resented being drawn into the US-led global war on terror.

The UN Strategy is an ‘instrument of consensus’ on an issue where consensus has been difficult to achieve. Its call for a holistic, ‘whole of government’ approach to addressing terrorism and its inclusion of not only issues related to security but also to conditions conducive to the spread of terrorism, gives it broader appeal than the Security Council counterterrorism programme, which has dominated the UN’s post-September 2001 response to terrorism. As such, it might help narrow the divide between the Security Council and the General Assembly, and – more fundamentally – help to reconcile the security agenda of the global north with the development priorities of the global south.

In the year since its adoption, much of the UN’s work on Strategy implementation has focused on the UN system itself under the leadership of the Task Force and its some ten thematic workings groups, and improving the coordination and effectiveness of those efforts. Hopefully the Strategy and the Task Force will help improve the UN system’s outreach to southern Africa and its contributions to counterterrorism efforts in the sub-region.

While a strong push by the UN is important, southern Africa as a sub-region will need to determine how best to implement the generally broad provisions of the strategy to maximise its impact on the ground. With a UN framework based on consensus now in place, sub-regional and local stakeholders should tailor it to fit the needs and interests of their sub-region. Sub-regional and local buy-in will be essential to make the Strategy relevant to southern Africa, which will in turn increase the likelihood of implementation. As with previous attempts to impose an external agenda on southern (as well as other parts of) Africa, implementation of the UN strategy will fail ‘without strong domestic ownership and local agents of change within and outside government’ (Cilliers 2006:70).

Conclusion

This article has highlighted the role that various stakeholders do and can play in counterterrorism in southern Africa and the challenges that the sub-region will need to overcome as it seeks to move forward in devising an effective strategy. Regional and sub-regional bodies can help by ensuring that cultural and other contextual issues are taken into account; can undertake region-specific initiatives; often have unique knowledge and expertise; and can help build local ownership of UN and other international counterterrorism efforts. Within the UN system a myriad of actors, including bodies with a security focus such as the Security Council, bodies on counterterrorism and UNODC’s TPB as well as entities not traditionally associated with counterterrorism

such as UNDP, have important roles to play assisting states and regional and sub-regional organisations in the development of an effective response.

In light of the widespread perception that terrorism is primarily a Western problem and that underlying conditions and deep gaps in capacity must be addressed, a strategy that focuses on narrow security and law enforcement concerns, particularly if viewed as merely an extension of the US global war on terror, is unlikely to gain much currency within the sub-region. The UN Strategy attempts to bridge the divide between the security interests of the global north and the development priorities of the global south, putting the need to address conditions conducive to the spread of terrorism front and centre. Operationalising this connection between security and development and translating what is a useful intellectual framework into coordinated action on the ground would now be the next step.

Notes

- 1 See www.un.org/terrorism for a list of the 24 entities represented on the Task Force.
- 2 According to Anneli Botha of the Institute for Security Studies, 'two South Africans were also arrested after a long shoot-out with Pakistani authorities in an alleged al-Qaeda safe house in Pakistan in 2004, along with ... a Tanzanian national in US custody, [who] was allegedly involved in the 1998 Nairobi and Dar es Salaam embassy bombings'.
- 3 As of mid-2007, of the 15 SADC countries only four had comprehensive counterterrorism legislation: Mauritius, the Seychelles, Tanzania and South Africa. Other countries in the region are in the process of drafting counterterrorism and related legislation and/or include discrete terrorist acts as offenses under their criminal codes (see <http://www.safii.org/>).
- 4 Since early 2007 the Commission's counterterrorism desk was manned by one person of fairly low rank. Counterterrorism was one of a number of issues for which this person was responsible.
- 5 While 14 of the 15 SADC member states have signed the OAU Convention on the Prevention and Combating of Terrorism, only nine of them had ratified the treaty by July 2007. By the same date only four of the 15 SADC countries had signed the Protocol to the OAU Convention on the Prevention and Combating of Terrorism, and only one had ratified the instrument.
- 6 Of the 15 SADC members, 11 have not submitted reports to the 1540 Committee (Non-Proliferation Committee), six have not submitted to the Al-Qaeda/Taliban Sanctions Committee, and ten are late in submitting reports to the Counter-Terrorism Committee.
- 7 The 12 member countries of SARPCCO are Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.
- 8 In addition to these steps aimed at enhancing law enforcement cooperation among its 12 member states, SARPCCO is in the process of developing a mechanism for improved law enforcement information sharing among its members.
- 9 The ESAAMLG members are Botswana, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Seychelles, Tanzania, Uganda, Zambia and Zimbabwe.
- 10 The secretariat, which currently consists of two professional staff with plans to expand to five, organises legislative drafting capacity building programmes, with training focused on the specific FATF recommendations. The secretariat is funded by ESAAMLG member states as well as outside donors. Its annual budget is US\$370 000. External funders of the secretariat include the US, UK, Denmark, the World Bank, the African Development Bank, and the Commonwealth Secretariat.
- 11 ESAAMLG 'cooperating partners' include representatives from the International Monetary Fund, FATF, the UNODC's Global Anti-Money Laundering Programme, the Commonwealth Secretariat, the US and the UK.

- 12 Botswana, Madagascar, Mauritius, Mozambique, the Seychelles, South Africa, Swaziland and Tanzania have all ratified at least ten of the conventions. No SADC countries have ratified all 13 conventions (UN Office on Drugs and Crime 2007).
- 13 For a discussion of these and other challenges confronting UNODC and other technical assistance providers in Africa, see Du Plessis 2006:88–90.
- 14 UNDP has for example partnered with regional organisations in sub-Saharan Africa on programmes to curb the spread of small arms and light weapons and other projects such as the training of prosecutors in Mauritius, assisting with elections in the Democratic Republic of Congo, and improving the effectiveness and quality of the police force in Mozambique.

References

- African Union 2007. List of countries which have signed, ratified/acceded to the OAU Convention on the prevention and combating of terrorism [online]. Available at <http://www.africa-union.org/root/AU/documents/treaties/list/protocol%20to%20the%20convention%20on%20terrorism.pdf> [accessed 4 March 2008].
- ACSRT (Algiers Centre on the Study and Research of Terrorism) 2006. Summary of first meeting of the focal points of the ACSRT. Available from authors.
- Aning, K 2007. *Africa: confronting complex threats*. Coping with Crisis Working Paper Series. New York: International Peace Academy.
- Botha, A 2006. Africa's vulnerability to terrorism and its ability to combat it. In A Botha and W Okumo (eds), *Understanding terrorism in Africa: in search of an African voice*. Seminar report, Institute for Strategic Studies. Pretoria: Institute for Security Studies.
- Brown, K 2007. Government too willing to be US proxy on 'terror'. *Business Daily*, 30 January.
- Colliers, J 2006. Africa, root causes and the 'war on terror'. *African Security Review*, 15(3):58–71.
- Du Plessis, A 2006. The role of the United Nations in providing technical assistance in Africa. In A Botha and W Okumu (eds), *Understanding terrorism in Africa: in search for an African voice*. Seminar report, Institute for Security Studies. Pretoria: Institute for Security Studies.
- Egmont Group, November 2007. Financial intelligence unit definition. List of operational financial intelligence units [online]. Available at http://www.egmontgroup.org/list_of_fius.pdf [accessed 4 March 2008].
- Ewi, M and Aning, K 2006. Assessing the role of the African Union in preventing and combating terrorism in Africa. *African Security Review*, 15(3):33–38.
- Fleming, D 2004. Islamic militancy in southern Africa. Jane's Terrorism and Security Monitor [online], 23 November. Available at http://www.janes.com/security/international_security/news/jtsem/jtsem041123_1_n.shtml [accessed 4 March 2008].
- Gambari, I 2006. Africa's response to terrorism statement. United Nations [online]. Available at <http://www.aionline.org/files/fullreportterrorismsymposium2006.pdf> [accessed 4 March 2008].
- Hifindaka, V 2007. [Head, Interpol Regional Bureau in Harare, to the Center on Global Counterterrorism Cooperation about SARPPCO's counterterrorism-related activities] [e-mail/facsimile]. (Personal communication on 18 June 2007.)
- Kisanga, EJ 2007. [ESAAMLG Executive Secretary to the Center on Global Counterterrorism Cooperation about ESAAMLG's counterterrorism-related activities] [e-mail]. (Personal communication on 16 May 2007.)
- Le Sage, A 2007. Terrorism threats and vulnerabilities in Africa. In A le Sage (ed), *African counterterrorism cooperation*. Washington, DC: National Defense University Press and Potomac Books.
- Mbeki, T 2004. Address of the President of South Africa. New York: 59th session of the UN General Assembly [online]. Available from <http://www.info.gov.za/speeches/2004/04092216571001.htm> [accessed 4 March 2008].
- Makinda, S M 2006. Terrorism, counter-terrorism and norms in Africa. *African Security Review*, 15(3):19–31.
- Nadkarani, V C 2004. Killing us softly: Aids beats terrorism. *The Economic Times*, 14 July [online]. Available at <http://www.economicstimes.indiatimes.com/articleshow/776991.cms> [accessed 4 March 2008].

- Nyang'oro, J E 2007. Terrorism threats and responses in the Southern African Development Community region. In A Le Sage (ed), *African counterterrorism cooperation: assessing regional and subregional initiatives*. Washington, DC: National Defense University Press and Potomac Books.
- Interpol 2007. Office of the Special Representative of Interpol to the United Nations. [Correspondence to the Center on Global Counterterrorism Cooperation about Interpol's counterterrorism-related activities in southern Africa] [e-mail]. (Personal communication on 23 May 2007.)
- Rifer, M 2005. SADC and terrorism: where is the regional strategy? *African Security Review*, 14(1):107–116.
- Shillinger, K 2006. Al-Qaida in southern Africa: the emergence of a new front in the war on terrorism. *Armed Forces Journal*, 143(7) [online]. Available at <http://www.armedforcesjournal.com/2006/02/1813653/> [accessed 4 March 2008].
- UNDP (United Nations Development Programme) 2002. Status of regular funding commitments to UNDP and its associated funds and programmes [online]. Available at <http://www.undp.org/excecbrd/pdf/DP2002CRP8.pdf> [accessed 4 March 2008].
- United Nations Security Council 2006. *Report of the Counter-Terrorism Committee to the Security Council for its consideration as part of its comprehensive review of the counter-terrorism committee executive directorate (S/2006/989)*. New York: United Nations.
- UNODC (United Nations Office on Drugs and Crime) 2007. Short ratification status. Available from authors.
- Wani, I J 2007. The African Union role in global counterterrorism. In A Le Sage (ed), *African counterterrorism cooperation: assessing regional and subregional initiatives*. Washington, DC: National Defense University Press and Potomac Books.
- Weidlich, B 2006. SADC countries gear up against terrorism. *The Namibian*, 6 December.

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AFRICA WATCH

Security sector reform in the Democratic Republic of Congo: The status of military reform

Henri Boshoff*

On 25 February 2008 the long-awaited round table on security sector reform (SSR) in the Democratic Republic of Congo (DRC) was finally held in Kinshasa. The aim was to bring about a reform of the Armed Forces (*Forces Armées de la République Démocratique du Congo*, FARDC) and the national Congolese police (*Police Nationale Congolaise*, PNC).

The round table brought together some 200 participants, including international and national experts. The meeting was organised around four committees, each with a focus on armed forces, justice, police and cross-cutting issues. It was an important opportunity for the government of the DRC to present its approach to security sector reform to its international partners.

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The meeting principally focused on the government's presentation of a new master plan for army reform and a road map based on the four pillars of dissuasion, production, reconstruction and excellence. The master plan makes provision for three overlapping phases spanning 12 years. The short-term phase, from 2008 to 2010, is based on:

- The training and deployment of 12 battalions of a rapid reaction force drawn from elements yet to undergo *brassage*, as well as from the 18 existing integrated brigades
- The establishment of the legal framework necessary for army reform
- The completion of the transitional disarmament, demobilisation and reintegration (DDR) and army integration programmes

This master plan is not new and is based on the Congolese government's strategic vision which had already been discussed at a contact group meeting on security sector reform, held in Kinshasa on 12 and 13 July 2007. The SSR contact group in the DRC comprises the DRC and its programme partners: Belgium, South Africa, Angola, the United States, Egypt, Morocco, Tanzania, China, India, Greece, Portugal, Italy, the United Nations and the European Union, as well as the World Bank and the United Nations Development Programme. The Minister for National Defence and Ex-combatants, Chikez Diemu, opened the meeting and presented the Congolese government's strategic vision for the new Congolese army to be established in the future, an overall plan of army reform, around four principal areas.

A rapid reaction force

In the short term, in preparation for the progressive withdrawal of MONUC forces, the Congolese government suggests the creation of a rapid reaction force up to 2009. This force of two or three battalions will be 'correctly equipped, well supported, trained and commanded'.

'Excellence' ideal

The new army should also be built around an 'excellence' ideal. According to the government plan, this entails provision for continuous individual and collective training, as well as an HIV/Aids programme for this lethal disease that is prevalent in army barracks. The excellence ideal includes justice and discipline capacity building in the army. For this purpose the government will recruit 500 supplementary magistrates to fight against crime. Controlling the army through biometric data and honourable retirement was also suggested.

Reconciliation of the army with the population

This is the third part of the government's plan, as there is a potential and permanent tension between the army and the population. On the matter of how to reconcile the two, the government suggests that the armed forces be involved in concrete and visible activities that contribute to the country's reconstruction. The military must be kept in barracks, but could be used on civil engineering projects such as bridge, road and hospital construction. It is hoped that this re-conversion of the army will have a positive effect on the consolidation of democracy and sustainable peace in the country.

A 'development' army

The last aim of the government's army reform plan is to set up a development army. Thus, in times of peace, the army would participate in economic development through its involvement in production activities such as agriculture, breeding and fishing. This will ensure each soldier has daily food, explained the Minister of Defence.

The realisation of this overall plan in the medium and long term entails setting up territorial forces between 2007 and 2012, with a principal defence force in place by 2011.

Before reaching that step, experts suggest that it is necessary to complete the national DDR programme. To date, 186 468 combatants have been taken into the programme, comprising 99 750 demobilised persons, including 30 219 children. A total of 53 427 integration volunteers and 44 816 demobilised personnel have been trained.

So far, 15 new mixed brigades of government and former rebel forces have been created and deployed in the field. Another 80 000 fighters remain to be disbanded, according to an estimate last year by the Congolese Commission for Disarmament, Demobilisation and Reinsertion.

While the international partners observed that the plan presented at the round table did not adequately address the overall structure and management of the defence sector, the government maintains that army reform is solely a national prerogative, to be dealt with through decision-making and action at a national level.

With regard to reform of the FARDC, the round table agreed that a Congolese coordination plan be adopted to study suggestions for a programme of reform for the army. It also adopted the programmes that are already being implemented, in particular those on the training of FARDC battalions by MONUC, the training and equipping of the general purpose engineering units, and the control of manpower through a biometric census. MONUC successfully completed the pilot phase of its main training project

in March 2007, as well as the training of a FARDC-integrated battalion. MONUC has also delivered two additional basic training programmes for ten FARDC-integrated battalions.

In spite of logistical deficiencies and the lack of weapons and equipment for the FARDC, the second main training project was successfully completed, with the units entering service in the FARDC-integrated brigades. MONUC expects to conduct similar courses for the rest of the year and intends to enhance the training programme with supplementary training courses to develop the operational effectiveness and planning ability of FARDC officers. The introduction of mortar and engineering courses into the programme will enhance specific combat-support capabilities.

With the new plan in place it will be interesting to see to what extent the Congolese government will implement it, in view of the continuing conflict in the East DRC.

References

- Radio Okapi 2008. *Security sector reform: Alan Doss recommends coherency in the execution of the programme*. 27 February.
- Ngangoué, R 2007. Government and partners lay groundwork for the future of the Congolese army. *MONUC Bulletin*, 169, 17 July.
- Young, E 2008. *Round table talks on DRC security sector reform*. 26 February.
- United Nations 2008. Twenty-fifth report of the Secretary-General on the United Nations Organisation Mission in the Democratic Republic of the Congo (S/2008/218), 2 April.

Côte d'Ivoire 2008 elections: Is there hope?

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The war that erupted in 2002 in Côte d'Ivoire – a former beacon of peace in West Africa – seems to be dying down. President Laurent Gbagbo's direct dialogue with the leader of the *Forces nouvelles*, Guillaume Soro, which resulted in the framework for peace known as the Ouagadougou Peace Agreement and the complementary agreements, looks set to pave the way for the resolution of the crisis. Concluded under the aegis of President Blaise Compaoré of Burkina Faso, these agreements, which defined the steps necessary to guide Côte d'Ivoire out of the crisis, were seen as a diplomatic and political milestone. Despite the sporadic setbacks on a number of issues, the situation in Côte d'Ivoire continues to improve. Of major concern, however, is whether Ivorian political actors will keep the new date set for the presidential election.

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There is no doubt that the mediation efforts of President Compaoré have provided the environment and the mechanisms to engage Côte d'Ivoire's key political actors on critical issues that nearly stalled the peace process. War fatigue started taking its toll and the continuing deterioration of living conditions together with pressure from domestic political forces and regional as well extra-regional partners have compelled President Gbagbo and his prime minister, Guillaume Soro, to reach consensus on some of the stumbling blocks to the successful transition from war to peace.

Anxieties and uncertainty over the demobilisation, demilitarisation, reintegration and reconciliation (DDRR) process since 2005 have stymied the hopes and efforts to bring about peace in the country by means of credible elections that would restore the legitimacy of the leadership. Officially, all government-dominated armed forces have been demobilised and demilitarised, but the reluctance of the *Forces nouvelles* to participate in the process continued to raise serious concerns. Some forces loyal to President Gbagbo have even called for the resignation of Soro, both as prime minister and leader of the *Forces nouvelles*. While it is not clear why Soro should resign as leader of the rebel group, one could only say that calls for his resignation as prime minister are due to problems affecting the DDRR process and – by extension – the elections.

Because he realised the issue could derail the peace process and perhaps put an end to his own political future, President Gbagbo issued a communiqué in which he renewed his confidence in and support of Soro, disowning his supporters in the *Congrès National de la Résistance pour la Démocratie* (National Resistance and Democracy Congress, CNRD). The president also encouraged Soro to continue his mission in the framework of the Ouagadougou political agreement, which remains in force until the presidential polls have taken place (at this stage many times postponed).

In fact, the electoral process has become highly contentious because of the high political stakes. This is the main reason for the considerable delay in the planning of the elections, rather than the lack of funding and absence of clarity about the role of the various electoral monitoring institutions that have frequently been held out as factors impeding respect for the deadlines. Indeed, the mutual mistrust the two parties displayed caused the planning delays. In particular, political forces opposed to the ruling party do not have confidence in the state-controlled institutions such as the National Institute of Statistics (*Institut National de Statistiques*, INS) and also fear the government might attempt to control the electoral process to its own advantage.

However, social tension is on the rise not only because of the difficulties in the political process, but also because of the global phenomenon of basic commodities price hikes. The increase in the price of basic foods was the final straw in the deterioration in living conditions, sparking riots in Abidjan that claimed the life of at least one person and left many people injured. To mitigate the devastating impact on the peace process,

Côte d'Ivoire's government announced some emergency measures to lower prices of food and basic services. In a statement released on 1 April, the government promised to temporarily suspend taxes on rice, oil, milk, flour, sugar and fish, but demonstrators warned they could go back to the streets if prices creep up again. Although riots over food price increases have become widespread in Africa, they pose a particular threat to the fragile peace in Côte d'Ivoire. The frequency and the intensity of the riots are making governments nervous and causing them to tamper with the human rights of their citizens in order to manage their political impact in rather volatile circumstances.

Though moving at a snail's pace, there has been a number of breakthroughs in the peace process in Côte d'Ivoire. Owing to continuous improvements on security, the United Nations peacekeeping mission (*Opération des Nations Unies en Côte d'Ivoire*, ONUCI) has dismantled most of its military observation posts in the former zone of confidence that separated the government-held and rebel-controlled areas of the country. In fact, 15 of the original 17 observation posts have been dismantled and only two have been left for emergency assistance. This has reinforced the perception by the government, the rebel forces, the political parties and the international community that the war is over. Equally important, the *Forces nouvelles* have also renewed their willingness to speed up the demobilisation process from 10 April. The decision was taken at a meeting between Soro and key political actors in Côte d'Ivoire. The regular consultations with key political actors have been an effective mechanism for dispelling frustrations and fears.

As a result of the regular consultations, the committee that monitored the Ouagadougou peace agreement has accepted the stipulations for certifying the validity of upcoming elections which were proposed by Dr Y J Choi, the UN Secretary-General Special Representative in Côte d'Ivoire. The five-criteria framework, which was approved by the follow-up meeting of the committee in Ouagadougou, include

- Restoration of peace across the country
- An inclusive political process
- Equal access to the state media
- The establishment of objective electoral lists
- Fair and unbiased poll results

The criteria were developed by the UN, in consultation with President Compaoré in his role as facilitator of the inter-Ivorian dialogue, and the Ivorian parties. This in itself represents an important breakthrough particularly given the strained relations between the Ivorian ruling party and the UN. More importantly, it revives the hopes of

transparency for the 2008 elections, which have now been set for 30 November 2008. It had become clear that the June deadline for the presidential elections could not be met given that little progress has been made with the planning of the electoral process. After an emergency cabinet meeting held in Abidjan between President Gbagbo, the prime minister and the UN representative, a new date was set following a proposal by the Independent Electoral Commission (*Commission Electorale Indépendante*, CEI). Gbagbo was under pressure to reassure the UN Security Council and South Africa, and the meeting resolved some of the issues pertaining to the role and responsibilities of the CEI, the INS and SAGEM, a French company tasked with providing identification documents for the Ivorian population that will be used in the upcoming elections.

The outcome was that the three institutions will work together to bring about a credible electoral process and the government has offered its financial support for this operation, which is crucial for sustained peace. The decision to have a new date for the elections was acceptable to the different political parties as well as to ONUCI, which expressed relief that a date had been finalised. Like Prime Minister Guillaume Soro, they would like to believe that the electoral process is irreversible. The decrees adopted re-emphasised the authority of the electoral commission over the process and over the two other electoral monitoring institutions, the INS and SAGEM.

It is also noteworthy that there has also been considerable progress in the process of voter registration and the delivery of identity documents to the citizens. According to the director of the division for electoral assistance of ONUCI (pending confirmation by the Minister of Justice), 488 686 of the 515 412 requested birth certificates would be delivered before the operation came to an end on the 15 May 2008. Of those that were finalised, 414 706 were said to be Côte d'Ivoire nationals while 73 980 are foreigners. There is no doubt that the successful completion of this initiative will have a positive influence on the credibility of the elections, amidst fear and suspicions over vote rigging and manipulation. More, the successful completion of this process will determine the credibility of the voter rolls set to begin in June.

It would be naïve to say that the end of unrest and war is in sight, as there are serious threats that could still sink the process. Rivalry with the forces has resulted in an open fight between forces loyal to Guillaume Soro and elements suspected to be loyal to Ibrahim Coulibally, former leader of the rebels. His trial in Paris and the three years' jail conviction were best seen as a political hurdle to keep him out of the process initiated since the 2007 Ouagadougou peace agreement. Also, there seems to be tension between members of the UN panel of experts whose task it is to enforce the arms embargo imposed on Côte d'Ivoire, the Ivorian national security and defence forces and the *Forces nouvelles* rebels. The tension revolves around allegations that both the government (presidential guards) and rebels have violated the embargo. According to the panel, the government and rebel forces are involved in military training (at home and abroad) and

the acquisition of weapons, which raise concerns over the implementation of the arms embargo and the peace process. Not too long ago, the UN panel was denied access to a number of military sites under government and rebel control. While the national army has rejected these accusations, Morocco has confirmed that Ivorian government forces are undergoing training there. The panel therefore is calling on all countries providing training to Ivorian security forces or rebels to respect the arms embargo in the interest of peace in Côte d'Ivoire and in the region. Arms trafficking between Côte d'Ivoire and the supply of illegal weapons are facilitated by the exploitation of diamonds and corruption or intimidation in the custom services. As Côte d'Ivoire sets a new date for the long-awaited elections, it is important to avoid any measure or action that could jeopardise the holding of these elections or affect people's confidence in the peace process in the country. The delay in the DDRR process – mainly on the part of the rebel forces – is partly explained by the absence of transparency in the military activities of government forces and lack of trust between the government and the rebels.

The 30 November 2008 elections afford Côte d'Ivoire an opportunity to initiate a new socio-economic and political dispensation based on democratic consensus and the establishment of credible state institutions. Political instability and uneven distribution of resources have been some of the major causes of violence in the whole West African region. The failure to plan, monitor and complete a coherent electoral process could have a dramatic outcome for the country in its struggle to emerge from war. The situation in Kenya has posed serious challenges to both Africa and the international community and the onus should be on Ivorian leaders as well as the regional and extra-regional actors to respond to the people's expectations by delivering a credible electoral operation that produces a leadership acceptable to all.

While the upcoming elections might be a key step to restoring peace in Côte d'Ivoire, they cannot alone resolve the country's crisis. There is also a need to find sustainable solutions to some thorny issues, including rural and urban ownership, migration, population identification, citizenship, electoral laws and the role of the army during the electoral process.

It is clear that a domestic initiative can produce effective results if there is a real commitment by the key actors to the process and adequate support by the regional and extra-regional partners. In that sense, one should encourage key political actors in Côte d'Ivoire to remain committed to the process, and through a process of consensus work on the remaining issues to complete the transition from war to lasting peace. There is a need to urge the main protagonists to fulfil the commitments they made in terms of the Ouagadougou Peace Agreement as far as the DDRR process is concerned. This will not only guarantee that Côte d'Ivoire will have violence-free elections, but also prevent the country from sliding back into instability in the event of electoral dispute.

Generally, African observers are only involved in electoral monitoring during the latter stage when the process has already been set up. If possible, electoral monitoring teams should be involved during the earlier stages of electoral planning in Côte d'Ivoire, particularly in view of the fact that these elections will take place in a country emerging from violent conflict. For some time now, Africa has been experiencing violent and fraudulent electoral processes that have claimed many people's lives. This could be prevented by an early involvement of independent observers from regional and continental organisations, so that they oversee the planning as well as the completion of the process and put pressure on the political contenders to respect the verdict of the ballot boxes.

Trends and markers: Index of state weakness in Africa

The table below contains the index basket scores of the 53 states in Africa. A score of 0,00 represents the worst score of the 53 and a score of 10,00 signifies the best.

Rank	Country	Overall score	Score				GNI per capita
			Economic	Political	Security	Social welfare	
1	Somalia	0,52	0,00	0,00	1,37	0,70	226
2	Democratic Republic of Congo	1,67	4,06	1,80	0,28	0,52	130
3	Burundi	3,21	5,01	3,46	2,95	1,43	100
4	Sudan	3,29	5,05	2,06	1,46	4,59	810
5	Central African Republic	3,33	4,11	2,90	5,06	1,25	360
6	Zimbabwe	3,44	1,56	1,56	6,81	3,84	350

GNI = Gross National Income

Rank	Country	Overall score	Score				GNI per capita
			Economic	Political	Security	Social welfare	
7	Liberia	3,64	3,39	3,91	6,01	1,25	140
8	Côte d'Ivoire	3,66	5,23	2,12	3,71	3,56	870
9	Angola	3,71	5,42	2,67	5,32	1,45	1 980
10	Sierra Leone	3,77	5,04	3,87	5,43	0,76	240
11	Eritrea	3,84	3,09	2,78	7,01	2,48	200
12	Chad	3,90	5,80	2,42	6,18	1,21	480
13	Guinea Bissau	4,16	5,22	3,83	5,96	1,69	190
14	Ethiopia	4,46	6,14	4,03	5,91	1,75	180
15	Congo, Republic	4,56	5,08	2,77	6,45	3,95	1 100
16	Niger	4,60	5,45	4,69	7,33	0,94	260
17	Guinea	4,67	5,00	2,64	7,43	3,61	410
18	Rwanda	4,68	5,33	4,26	6,62	2,51	250
19	Equatorial Guinea	4,77	7,51	1,73	7,95	1,91	8 250
20	Togo	4,80	4,78	2,68	7,38	4,38	350
21	Uganda	4,86	5,78	4,55	4,89	4,23	300
22	Nigeria	4,88	5,39	3,51	5,37	5,24	640
23	Cameroon	5,12	5,78	3,09	7,54	4,07	1 080
24	Comoros	5,20	4,24	4,20	8,18	4,20	660
25	Zambia	5,23	5,08	4,59	8,15	3,11	630
26	Mauritania	5,30	6,23	4,34	6,38	4,24	740
27	Djibouti	5,31	5,05	3,69	8,21	4,29	1 060
28	Mozambique	5,32	5,60	5,33	8,35	1,98	340
29	Swaziland	5,33	5,57	3,65	8,28	3,80	2 430
30	Burkina Faso	5,51	6,30	4,87	8,30	2,59	460
31	Malawi	5,60	5,68	4,83	8,11	3,77	170
32	Madagascar	5,65	5,24	5,95	7,65	3,76	280
33	Kenya	5,65	5,77	4,72	6,95	5,15	580
34	Gambia	5,79	5,26	4,54	8,29	5,06	310
35	Mali	5,85	6,33	6,16	8,49	2,43	440
36	Lesotho	5,88	4,59	6,40	8,35	4,18	1 030
37	Tanzania	5,94	6,38	5,41	8,08	3,89	350
38	Algeria	6,07	6,83	4,27	4,04	9,13	3 030
39	São Tomé & Príncipe	6,17	4,86	5,77	7,95	6,12	780
40	Gabon	6,18	6,51	3,93	8,36	5,94	5 000
41	Senegal	6,28	6,38	5,97	7,96	4,82	750
42	Benin	6,36	6,25	5,82	8,51	4,86	540

Rank	Country	Overall score	Score				GNI per capita
			Economic	Political	Security	Social welfare	
43	Egypt	6,50	6,34	4,09	6,55	9,03	1 350
44	Namibia	6,66	5,21	7,26	8,93	5,23	3 280
45	Ghana	6,72	5,92	7,02	8,44	5,48	520
46	Libya	6,80	6,84	2,45	8,12	9,77	7 380
47	Morocco	7,11	6,77	5,50	8,01	8,15	1 900
48	Botswana	7,27	6,59	8,41	9,29	4,78	5 900
49	South Africa	7,50	6,89	8,07	7,72	7,33	5 390
50	Tunisia	7,61	7,12	5,57	8,22	9,53	2 970
51	Cape Verde	7,96	6,60	8,46	9,49	7,30	2 130
52	Seychelles	8,23	7,33	6,54	9,52	9,55	8 650
53	Mauritius	8,79	7,34	8,49	9,67	9,68	5 450

Source: Adapted from Susan E Rice and Stewart Patrick 2008, *Index of state weakness in the developing world*, Washington, DC: The Brookings Institution.

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security in sub-Saharan Africa**

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ESSAYS

The potential of nonviolence in building security in sub-Saharan Africa

Geoff Harris*

Introduction

African wars of the past 15 years do not fit the traditional concept of wars that involve two sides trying to defeat each other. A number of analysts (for example Keen 2000, Duffield 2000) interpret African wars as a means of gaining profit, power and protection, often in relatively small areas, and not as a way of taking political control of a country. Based on this reasoning, capture of territory is important because of the greater access it gives to natural resources.

One of the unexpected facts concerning the extent and intensity of war is that both aspects have decreased significantly since 1990 (Human Security Centre 2005). In

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1991 the Stockholm International Peace Research Institute (Lindgren et al 1991:345 ff) reported 30 'major armed conflicts'; in 2005 (Harbom & Wallensteen 2006:108 ff) there were 17. In the case of Africa, there were eight major armed conflicts in 1990 and 11 each in 1998 and 1999, after which the number fell progressively to three (Burundi, Sudan and Uganda) in 2005. The civil wars which have almost totally replaced interstate wars as the major justification for military forces themselves appear to be waning. This suggests that a reconsideration of the nature and size of military forces is timely.

Over the same period, world military expenditure (measured in real US dollars using 2003 prices and exchange rates) reached its lowest level since 1990 in 1998, after which it rose rapidly following September 11, 1999. Most of the global increase in military expenditure occurred in the United States, which was responsible for 63 per cent of the increase in the decade 1996–2005 and for 48 per cent of world military expenditure in 2005. The military expenditure of 46 sub-Saharan African countries increased by 42 per cent over the same period and made up 0,72 per cent of the world total in 2005 (quoted by Omitoogun & Skons 2006:297 ff).

At the same time, sub-Saharan Africa is the world's poorest region. This is clear from table 1 which provides a comparison of sub-Saharan African and world figures for the components which make up the human development index of the United Nations Development Programme. Furthermore, 63 per cent of those infected with HIV and Aids live in the region. This amounted to 24,7 million people at the end of 2006, an adult infection rate of 5,9 per cent. Some 2,8 million new infections occurred during 2006 and there were 2,1 million deaths due to Aids. Only 23 per cent of the 4,6 million in need of anti-retrovirals were receiving them (UNAIDS 2006).

Table 1 Sub-Saharan Africa and world figures on key development indicators

Indicator	Year	Sub-Saharan Africa	World
Life expectancy at birth (years)	1995–2005	49,6	68,1
Adult (15+ years) literacy rate (per cent)	2005	60,3	78,6
Combined gross enrolment ratio (primary, secondary and tertiary education)	2005	50,6	67,8
GDP per capita (PPP US \$)	2005	1 998	9 543

Source: UNDP (2007).

This should not be taken to mean that there has been no progress. The latest *Human Development Report* (UNDP 2007), for example, reports improvements between 1990 and 2004 in the proportion of the region's population using improved sanitation (from 32

to 37 per cent), the proportion using improved water sources (48 to 55 per cent) and the proportion of the population which is undernourished (36 to 32 per cent). Nonetheless, the magnitude of poverty remains huge and progress is patchy. Willett (2004:102) reports that the economies of 33 of the 43 sub-Saharan African countries shrank during the 1990s and per capita incomes in 16 countries were lower in 1999 than in 1975. The final report of the UN Millennium Project concluded in 2005 that the region is poorer now than it was ten years ago (Wiharta 2006).

The traditional definition of security has come, over the past 20 years, to have limited relevance to developing countries. The traditional definition focused on territorial security – on external military threats to nation states – and military power to deter or resist such attacks was seen as the prerequisite for national security. Recent redefinitions focus on the threats posed to developed countries by corruption, organised crime and terrorism. Of far greater relevance to sub-Saharan Africa is the range of insecurities first listed by the UNDP (1994) under the heading of human security, namely economic, food, health, environmental, personal, community and political security. The extent to which such thinking has become accepted, at least at the level of policy statements, may be judged by the following extract from the South African National Defence Force website:

The greatest threat to the people of SA at present are socio-economic problems such as poverty, unemployment, lack of education, lack of housing, the high crime rate and violence. One of the policy priorities of the Government, therefore, is socio-economic development and upliftment (quoted in Harris 2002:77).

Between 1990 and the present, then, the number and intensity of wars have decreased significantly in the region, while poverty levels have remained very high. The meaning of security has been redefined. Over the same period, the region's military expenditures increased by 46 per cent in real terms.

Given this background, this article aims to answer two main questions. The first concerns the feasibility of sub-Saharan African countries relying on nonviolent ways of building security. A related question is whether nonviolent action has a reasonable chance of success. Before attempting to answer these questions, some terms need to be clarified.

The meaning of conflict, violence and nonviolence

Like any discipline, peace studies use words in particular ways. In this section I will briefly and non-technically review the most important of these in order to help make sense of later parts of the article.

A conflict refers to an incompatibility between the interests or needs of two parties, be they individuals, groups or nations. Conflicts are common and inevitable.

Direct violence refers to physical or verbal abuse, or threat of abuse, by one party to another. Domestic violence and war are obvious examples. The prevention of such violence is known as negative peace. Structural violence is a term coined by Johan Galtung, one of the founders of the discipline of peace studies, as a result of fieldwork in Rhodesia under colonial rule. Galtung became increasingly aware of the limitations of defining peace as the absence of violence. He noted that while there was little direct violence by the colonial authorities against the native population, there were structures in society which had significant negative effects on them:

In a certain sense, there was harmony, cooperation, integration. But was this peace? With the blatant exploitation, with blacks being denied most opportunities for development given to whites, with flagrant inequality whereby whites were making about twenty times as much for exactly the same job as blacks? Not to mention the basic fact that this was still a white colony (Galtung 1985:145).

These structures, procedures and policies, it should be noted, were not intended to cause harm, but nonetheless did so. To Galtung, they represented a 'quiet process, working slowly in the way misery in general, and hunger in particular, erode and finally kill human beings' (1996:145). Apartheid represents a classic example but many if not most developing countries of Africa demonstrate high levels of 'social neglect'. Structural violence, then, describes the structures which maintain the dominance of one group at the centre of power over another group at the periphery. At a practical level for those at the periphery, it can mean low wages, landlessness, illiteracy, poor health, limited or non-existent political representation or legal rights and, in general, limited control over much of their lives. If those who suffer structural violence resist or try to change it, they may be met with direct violence.

The exploitation, neglect and exclusion which are features of structural violence kill slowly in comparison to direct violence, but kill vastly more people. Deaths due to structural violence can be estimated by subtracting the world average life expectancy from the highest national life expectancy, year by year, and dividing that number by the highest life expectancy. This provides a rough indicator of preventable, premature deaths. For the period 1945 to 1990, William Eckhardt (1992) estimated this to be 28 per cent, noting that the proportion fell from 43 per cent in 1945 to 20 per cent in 1990. This translates into 17 million people per year, mostly children under five years in developing countries, who died from hunger or preventable disease. Eckhardt summed up these 'surplus deaths' as a result of government action or inaction between 1945 and 1990 as follows, and shows that structural violence killed 36 times more people than war during the same period:

■ Civilian deaths in war	14 million
■ Military deaths in war	8 million
■ Civilians killed by their own government	48 million
■ Civilian deaths due to structural violence	795 million

Positive peace is the alternative to structural violence. It involves the building of structures and processes which emphasise economic, social and political justice for all. The process of establishing positive peace is termed peacebuilding.

Nonviolence is much more than the absence of violence. Gandhi's use of the Sanskrit word *ahimsa* emphasises not just the absence of violence but the positive quality of its opposite. To Gandhi and Martin Luther King, nonviolence was an intensely positive attitude towards human beings, including those with whom they were in conflict, which motivated them to change any desire to injure an enemy into an attitude of love. They identified this with *agape*, the Greek word for spiritual love. The action which stems from *agape* is *satyagraha* and has three main principles: respect for persons, an emphasis on persuasion instead of coercion, and consistency between the ends aimed for and the means used to achieve these ends. The distinction between non-violence (the replacement of violence by other ways of defeating an enemy) and nonviolence (built on love and respect for opponents and without the intent of defeating them) is a crucial one. To better understand this, consider Gandhi's statement concerning his opponents in the struggle for Indian independence:

My attitude towards the English is one of utter friendliness and respect. I claim to be their friend, because it is contrary to my nature to distrust a single human being or to believe that any nation on earth is incapable of redemption. I have respect for Englishmen, because I recognise their bravery, their spirit of sacrifice for what they believe to be good for themselves, their cohesion and their powers of vast organisation. My hope about them is that they will at no distant date retrace their steps, revise their policy of exploitation ... and give tangible proof that India is an equal friend and partner in the British Commonwealth to come (King 1999:240).

Is a national policy of nonviolence possible?

There are three common ways of trying to deal with a dispute. The use of power – physical, military, economic – usually results in victory for the most powerful. The use of rights, in a legal sense, also most often results in victory for the most economically

powerful, as they can afford the best legal resources. Attempts to reconcile the interests of the parties are based on the hope that, by uncovering their underlying needs and interests, parties to a conflict can achieve a mutually satisfying outcome.

The problem with the first two is that they result in a winner and normally leave the underlying causes of the conflict unchanged. They may appear to be quicker than the third option but they are costly, they leave the relationship between the parties in disarray and sow the seeds for the subsequent re-emergence of conflict (Ury et al 1988:3–19). It is obvious that individuals could commit themselves to the nonviolent resolution of conflict and insist on reconciling the interests of the parties to a dispute. Experience suggests, however, that even where their numbers exceed a small minority (as with the Peace Pledge Union in the United Kingdom during the 1930s), their commitment often fades away in response to the drums of war. The question examined here is whether a nation can be pacifist.

Let me first say that neutrality is not the same as pacifism. Neutral countries such as Switzerland and Sweden have large military expenditures and military forces and are significant producers and exporters of weaponry. Pacifism is based on a decision not to use power to deal with conflicts, reinforced by a constitutional decision to do away with military forces.

There is a number of countries without military forces, mostly small island countries, but stronger evidence of its feasibility comes from Central America, where three countries have demilitarised. Costa Rica, which has a current population of four million, abolished its army in 1948, following a brief civil war. Haiti (population 8,1 million) disbanded its 7 600 strong military after the military government was replaced by a civilian administration in 1994. Panama (2,9 million) disbanded its military in 1990, following its heavy defeat during an invasion by the US. Each country has made alternative arrangements for its security. Costa Rica has paramilitary forces of around 8 400, comprising a civil guard (equivalent to a national police force) of 4 400, border security police numbering 2 000, and a rural guard of 2 000 (International Institute for Security Studies 2004). Its border security police operates an air surveillance unit (which has no combat aircraft) and coastal patrol vessels. Haiti has a national police force of 5 300. It has a coastguard of 30 persons and, since 1995, no air force. Its military equipment was destroyed after 1994. Panama replaced its military with a national guard comprising 11 000 national police and maritime and air services with 800 personnel.

Inspection of the social and economic indicators for the six Central American countries (Harris 2004a) shows that Costa Rica ranks first for almost every indicator and has achieved first world levels despite a modest gross domestic product per capita. Such a performance in areas such as health and education does not come about overnight. It depends upon policy decisions, in this case of public sector expenditure decisions made in the past, and

the effectiveness with which these decisions were implemented. The demilitarisations in Haiti and Panama are too recent for clear social and economic consequences to have emerged. Costa Rica, on the other hand, has had over 50 years for such effects to become apparent and the next section is devoted to a consideration of whether its impressive social and economic indicators can reasonably be attributed to its decision to demilitarise.

Before examining the possible links between Costa Rica's demilitarisation and its socio-economic performance, first some basic issues of causality. There are, for the purpose of this article, four possible causal linkages:

- Low military expenditure causes high socio-economic performance
- High socio-economic performance causes low military expenditure
- A variable (or group of variables) causes both low military expenditure and high socio-economic performance, or vice versa
- Low military expenditure and high socio-economic performance are not linked, that is, separate variables cause low military expenditure and high socio-economic performance

The first possible explanation is that low military expenditure in Costa Rica allowed relatively high public expenditure allocations to education, health and other social activities. Costa Rica's first national health plan, which commenced in 1971, had a twofold strategy. The primary health care component extended the coverage of preventive health services, improved water and sanitation services and included an extensive immunisation programme. Second, medical services were improved and broadened so as to reduce the number of hospitals but to double the number of centres offering outpatient services and the number of physician hours provided. The results were impressive: for example the under five mortality rate fell from 76 per 1 000 live births in 1970 to 31 in 1980. The UNDP (1994:41,51) concludes that this experience shows that well-structured government expenditures can result in dramatic social improvements over a short period, even with only moderate growth and a poor distribution of income.

This explanation is certainly the one which Costa Rica's leaders accept. Oscar Arias Sanchez, President of Costa Rica between 1986 and 1990 and Nobel Peace Prize laureate, asserts that the country's social performance is directly attributable to its low military expenditure:

International development agencies recognize that Costa Rica today has a standard of living comparable to that of the industrialized countries. It is universally accepted that the extraordinary advances of my country in the fields of education, health, housing and social welfare are basically due to the fact

that we do not dedicate our resources to the purchase of arms. The absence of an army has strengthened the Costa Rican democratic system, making it one of the most consolidated democracies of Latin America. To us, these are the dividends of peace. These are the dividends that would be within the grasp of all third world countries if they did not dedicate a very important part of their resources to the purchase of arms (SIPRI 1991, quoted in Harris 2004a:190).

It may be that Costa Rica is a 'special case' and that it is not possible to build any theory of disarmament on its experience. My assessment is that the only special aspect of Costa Rica is that despite its location in a region of violence, it has consistently dealt with internal conflicts and potential external conflicts in broadly democratic and nonviolent ways. It is, indeed, this third causal possibility which is best supported by the evidence: it is this commitment to democracy and nonviolence which has resulted in both high socio-economic development and low military expenditure.

What, then, is needed for a country to successfully demilitarise? The basic requirement is that the decision should be acceptable to the vast majority of society. In the case of Costa Rica, this acceptance was built on a popular commitment to, and confidence in, civil means of handling the conflicts inherent in achieving societal objectives. Two supporting factors may also be mentioned. The first is that the resources saved by minimal spending on the military are allocated to other socially desirable objectives. The Costa Rican experience is that great improvements in social indicators can occur, given well-planned government programmes, over quite short periods of time. The rewards to society of low military expenditure, as well as the success of civil means of achieving national objectives, seem to be mutually reinforcing. On the other hand, demilitarisation simply as a means of saving government expenditure will probably not last long. The second factor is therefore that the new governments of Costa Rica, Haiti and Panama were presented with a particular opportunity – when the military was weak and low in status – to implement demilitarisation, and this opportunity was grasped.

The potential outcomes of demilitarisation, then, are positive and such a policy makes sense for the small countries of southern Africa. These are, in any case, generally incapable of defending themselves militarily against a determined invader.

Does nonviolence work?

In the previous section, we saw that the best example of sustained demilitarisation appears to have resulted in major social and economic benefits. In that respect at least, Costa Rica's commitment to nonviolent means of conflict resolution has worked. In this section I examine a related question: if a government persists in some undesired practice, can nonviolent action by its citizens cause it to change?

There seems to be a general belief that military power is effective in dealing with conflicts and that nonviolent efforts are not. As to the effectiveness of the military, consider a number of recent wars. The Falklands War of 1980 resulted in a military victory but the unresolved tensions between the UK and Argentina require that a permanent British military garrison be stationed on the Falkland Islands. The Iran–Iraq war of 1980–1988 cost half a million lives but brought about no change in the boundaries over which the war was fought. The Gulf War of 1990 resulted in the deaths of tens of thousands of Iraqis but the underlying issues were not dealt with. This resulted in the subsequent deaths of hundreds of thousands of Iraqi civilians as a result of sanctions and the US/UK invasion of 2003, which defeated the Iraqi army but has resulted in an extremely costly civil war. Inter-ethnic conflict in the former Yugoslavia was largely ended by heavy NATO bombing of Serbia, but 60 000 NATO troops remain in Bosnia and Kosovo to keep the peace. In Africa, civil wars are characterised by their duration. Since 1976, five civil wars – in Angola, Chad, Ethiopia, Uganda and Sudan – have each lasted for more than 20 years. Wars shatter societies, and it may take decades for them to recover. The effectiveness of the military, other than in achieving a negative peace, is certainly open to question.

Two studies of US military interventions support the contention that force does not result in sustainable peace. Pei and Kasper (2003) studied the 16 ‘forced regime changes’ in which significant numbers of US ground troops were involved in the 20th century. These were designed either to prevent a regime collapse or to bring about a regime change. Of the 16, four were judged to be a success in terms of the establishment of a democracy ten years or more after the US withdrawal, namely Germany, Japan, Grenada and Panama. In a related study, Dobbins (2003) examined six major nation-building operations since 1990 in which US military forces helped effect a transition to democracy. Of the six, two (Somalia and Haiti) were clear failures, while the outcome in Bosnia, Kosovo, Afghanistan and Iraq is still pending, but hardly look promising. In a recent study Sullivan examined 122 military interventions by the five major powers (China, France, the UK, the US and the USSR/Russia) between 1945 and 2001 against much weaker opponents (in other words, asymmetric wars). She found that 39 per cent of these ‘failed to attain their primary political objective’ (Sullivan 2007:498). In terms of civil wars, a study by Collier and Hoeffler (2002) showed that high military expenditure on the part of developing countries does not deter internal rebellion and that low military expenditure does not encourage it. In short, military solutions seem to be of limited effectiveness in achieving sustainable peace.

We do not know, of course, whether nonviolent alternatives would have worked in these situations. Typically, nonviolent and less violent interventions are tried for a time before the military option is used. But what if the military option was simply not on the list of alternatives? Is confidence in nonviolent methods based on evidence of success, or is it a triumph of hope over experience?

A number of researchers have evaluated the effectiveness of nonviolence (eg Galtung 1996; Zunes et al 1999; King 1999; Ackerman & Duvall 2000; Holmes & Gan 2005; Sharp & Paulson 2005). Galtung (1996:117–119) lists ten ‘amazing successes’ of nonviolence in the 20th century and these, and many others, are examined in one or more of the preceding references:

- The campaign for Indian independence led by Gandhi, 1920–1947
- The protest in Berlin by the Aryan wives of Jewish men arrested by the Nazis, in February 1943
- The campaign for civil rights for blacks in the US, led by Martin Luther King
- The anti-Vietnam war movement in the US and elsewhere
- The campaign by Argentinean mothers in the Plaza de Mayo, Buenos Aires
- The ‘people power’ campaign against the Marcos government in the Philippines, 1986
- The nonviolent campaign of many facets which resulted in the ending of apartheid
- The nonviolent campaign in occupied Palestine for justice from Israel
- The Beijing campaign for greater democracy, 1989
- The Solidarity/DDR movement which resulted in the collapse of communism in Eastern Europe and the end of the Cold War

The list above is by no means exhaustive. Gene Sharp (1971a) lists 84 cases, not all of which were successful, and the end of slavery in the early 19th century, the nonviolent Czech resistance to Soviet forces in 1968, the campaign which led to the ban on the manufacture and use of landmines in the 1990s, the nonviolent campaigns which overthrew the Milosevic government in Serbia in 2000 and that of Shevardnadze in Georgia in 2003 and the Treatment Action Campaign’s current efforts in South Africa spring to mind. Galtung (1996:117, 118) comments that to assert that ‘nonviolence does not work’ is ‘uninformed’. He notes:

Of course, no case is ever totally clear and pure. But in these cases major direct violence was averted, and major structural violence was averted or reduced. Other factors were also at work; but if instead of using nonviolence, the threatened, exploited and/or repressed had engaged in major violence, not only would that have invited major counter-violence, but the oppressive

conditions would probably have remained unchanged. This we cannot know, since we cannot run history over again. But it certainly seems highly plausible.

Two questions arise. First, nonviolence may have worked against the British in India, but can it work against a 'ruthless aggressor', as in countries that had been occupied by Nazi Germany? Second, if it works so often, why is it not used more extensively? Why is it, in the words of Theodore Roszak, that we 'try nonviolence for a week and then when it doesn't "work" ... go back to violence, which hasn't worked for centuries' (quoted by Nagler 1999:239).

The first of these has been specifically examined by Ralph Summy (1994). Briefly, the evidence is that extensive and successful nonviolent resistance against ruthless aggressors has indeed occurred, for example in the Netherlands, Denmark and Norway under Nazi occupation. The second question may be harder to tackle and I will suggest two possible answers, apart from the misconception that military solutions are more effective than nonviolent approaches. First, there is a widespread belief that violence is natural and is inherent in human (especially male) nature. This belief has been challenged by the Seville statement on violence (1986) of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) which makes it clear that humans are not genetically programmed to be violent. Violence and wars are human constructs and we have the capacity to choose to engage in them or to choose nonviolence. To quote the well-known UNESCO statement, 'since war begins in the minds of men, it is in the minds of men that the defences of peace must be constructed'. The discipline of peace studies is based on the belief that violence is a learned behaviour; it can be unlearned and effective nonviolent methods of dealing with conflict can be learned.

Second, violence and war fit in with the desire for quick, decisive action which has a clear end date. We are often impatient. We want something to be completed, dealt with so that we can move on. The military provides us with an instrument to do this when we become impatient with slower moving alternatives. An alternative to invading Iraq could have been for the UN to have set up an office of Iraqi affairs charged with trying, by the widest possible range of nonviolent means, to achieve the desired changes within Iraq. A 20-year commitment might possibly have been necessary but we would not have a society shattered by sanctions and an invasion and civil war from which it will take decades to recover.

Some practical steps

Margaret Thatcher is credited with the phrase 'there is no alternative' which has since become known by its acronym TINA. There is an alternative acronym – TAAA – 'there are always alternatives'. Violent solutions to issues based on TINA are often a lazy and

impatient way out. That is, rather than thinking through an issue, listening to what relevant parties are saying, putting forward nonviolent alternatives and implementing them, we choose a quicker, easier but ultimately less effective route. Fundamentally, we need to move ourselves and others from TINA to TAAA. In this section, I discuss four necessary conditions.

The first and most crucial is a change of mindset away from violence and towards nonviolence. This has two components. We need to spread the news that nonviolence works by expanding awareness of successful campaigns and the techniques of nonviolence. We need to be able to offer well-researched alternatives to violence which have reasonable prospects of success in terms of positive and sustainable peace. What would the outcome have been if, in the words of economist Jeffrey Sachs (2002), the US had offered 'weapons of mass salvation' – in the form of generous aid – to Iraq rather than focusing on alleged weapons of mass destruction? In particular, we need to spread the principles of nonviolence – the *ahimsa*, the *agape* and the *satyagraha* mentioned earlier – throughout sub-Saharan Africa. Faith communities have a particularly important role in promoting the principles of nonviolence – common across many religions – to their members.

At the same time, we need to spread the news that the military has reached its use-by date. This follows from a belief that violence and force are morally and spiritually unacceptable; from the fact that nonviolent methods are less costly, more effective and able to be learned; from the fact that invasions have become rare and that countries' security needs embrace far more than simply territorial security; and from the recognition that there are cost effective alternative ways of achieving security. Table 2 compares the cost-effectiveness of eight alternatives under three headings – transforming the military, reducing the incidence of disputes and building dispute-resolution capacity with that of a conventional military approach. Each of the eight is considered more effective than the conventional military approach.

The second requirement is a plan. Whether demilitarisation is rapid or more gradual, it needs to be based on a plan which meets the needs of society for security and does so using appropriate means. That is, the process of demilitarisation itself must reflect the new mindset, and specifically the need to manage or resolve conflicts by nonviolent and democratic means. The benefit of a gradual approach is that a careful plan can be worked out; the danger is that countervailing forces may gain strength and the opportunity to demilitarise may be lost. Each country needs a demilitarisation plan, ready to be brought out at an opportune time.

Third, the plan will need a means of implementation. The number and complexity of the tasks involved in demilitarisation mean that they cannot be left to the usual government departments which have their own specific tasks and agendas. A new body needs to

Table 2 *The cost-effectiveness of various ways of building security*

Method	Likely costs	Likely effectiveness
Conventional military	High	Low to moderate
A transformed military		
Non-offensive defence	Reduced	Increased
Civilianised military functions	Reduced	Increased
Social defence	Low	Moderate
Reduced incidence of disputes		
Befriending the neighbours	Moderate	Moderate to high
Promoting democracy and development	High	High
Building dispute resolution capacity		
Education in conflict resolution and management	Moderate	High
Building conflict resolution institutions	Low	Moderate

Source: Harris 2004b:200.

be established and one possibility is the national ministry of peace under consideration in a number of countries (Suter 2004). Of necessity, these would be senior ministries, outranking particularly the ministry of defence, and staffed by personnel who are committed to a demilitarised society. Such a ministry's responsibilities would include oversight of

- Education of the population in nonviolent ways of dealing with conflict
- Building good relationships with neighbouring countries at all levels of society by all manner of means
- Demilitarisation, including the reallocation of non-core functions currently undertaken by the military to other government departments or civilian bodies and a reallocation of resources from the ministry of defence to the ministry of peace
- Building and supporting peacemaking and peacebuilding institutions and organisations.

Fourth, the plan will need to be adequately financed. It is tempting to think that demilitarisation will result in a peace dividend which is available for other government purposes, but experience suggests this is unlikely. Demobilisation and reintegration is complex and expensive as illustrated by the experience of Mozambique, for example (Ball & Barnes 2000). Demobilisation and reintegration need to be well planned and well-funded to avoid the real possibility that ex-fighters will recommence fighting or resort

to crime and banditry. Where demobilisation follows the end of a war, some sources of wartime finance, including ‘war taxes’ and the cavalier exploitation of natural resources, may no longer be available. Then there are the additional costs of the alternative means of achieving security. Almost certainly, foreign financial aid will need to be tapped. The arguments raised below are relevant whether demilitarisation is occurring following the end of war or as a result of a decision made during peacetime.

Table 3 Sources of finance for demilitarisation

Domestic	Foreign
<ul style="list-style-type: none"> ■ Saved expenditures – the peace dividend ■ Private savings ■ Taxation ■ Borrowing from the public through the sale of government bonds 	<ul style="list-style-type: none"> ■ Development assistance <ul style="list-style-type: none"> – Bilateral – Multilateral – Non-governmental organisations (NGOs) ■ Borrowing from commercial banks <ul style="list-style-type: none"> – Public and publicly guaranteed – Multilateral – NGOs ■ Borrowing from commercial banks <ul style="list-style-type: none"> – Public and publicly guaranteed – Private ■ Direct investment ■ Portfolio investment

The first item in table 3 is the traditional ‘peace dividend’ and involves the diversion of expenditure away from war to other government expenditure categories. Non-government forces will also save on expenditures. In both cases, resources potentially become available for demilitarisation. However, while a reduction in military spending is feasible to some extent, such a re-allocation may offer only limited possibilities of a peace dividend in the short term. Although expenditure on weapons may drop substantially in the post-war period, weapons do not often make up the bulk of military expenditure. Rather, personnel costs absorb most of the military budget and, unlike weapons, these cannot be reduced so rapidly. Where tensions with neighbouring countries persist in the immediate post-war period, the possibility of a peace dividend in the short term becomes even less likely.

The fiscal implications of peace can also initially be discouraging. It could take the form of a redirection of spending from the military to the civilian sector and governments could reduce the revenue they raise. However, although such peace dividends would allow the private sector to retain more financial resources and may be large when compared to the time of armed conflict, they may be very small when the yardstick used is the pre-war situation. Indeed, the ability to raise revenue may actually decline in the post-war period. In wartime Ethiopia, for example, the state used coercive revenue-raising measures which had to be abandoned when peace was achieved, but without leaving the government with a viable alternative for financing its expenditure. Often the

only major revenue increase is the enhanced flow of foreign aid that typically follows the end of a war. Thus there should be no short-term expectation of any substantial domestically generated peace dividend, either for the economy or for the government, as expenditure needs will be high and revenue raising capacity low. In addition, if there were a peace dividend, there would be pressure from bodies such as the International Monetary Fund (IMF) to use it to cut budget deficits or taxes.

With the uncertainties of armed conflict at least diminished, incentives to save rather than consume immediately will increase for those with sufficient income, although they may be pressured to spend money on deferred consumption items. Incentives facing business people and the government to invest in physical capital items will also expand. The matter of investment is discussed further below.

Governments may receive increased revenue via the taxation system but will be subject to two constraints: first, given the desire to involve the private sector in recovery, a government will have to be careful not to remove too much of that sector's surplus available for investment. Second, the population's willingness to pay high taxes in order to win the war is not likely to continue when the war ceases. A possible source of finance may be the sale of government bonds to its citizens, provided that there is some kind of market structure for securities.

Foreign sources of funds have the inherent advantage of being in the form of foreign exchange, a supply of which is essential for the purchase of the imports necessary for recovery. Development assistance can come from other countries, from multilateral bodies such as the IMF, the World Bank or regional development banks and from NGOs. Apart from NGOs, this assistance may be conditional, and there may in fact be demands for government expenditure constraints at the very time when such expenditure is or seems essential for recovery. The experience of a number of countries is that the price for obtaining the financial resources needed for recovery have been to virtually hand over control of economic policymaking – Mozambique is a classic example of this. On the other hand, generous foreign contributions may be crucial in overcoming opposition to demilitarisation, as it may make it possible to compensate individuals and groups who would lose out in consequence.

The willingness of foreign commercial banks to lend and that of local and foreign business people to invest in productive assets or shares will depend on an optimistic assessment of the likelihood of returns and profit. The end of a war does not in itself signal the beginning of economic security. Despite the onset of peace, potential investors may continue to be cautious in committing their investment funds, because of a perceived lack of economic security. The main dividend from peace derives from a gradual recovery of confidence, which is also expressed in the repatriation of financial and human capital from abroad.

At the risk of oversimplifying matters, it is ultimately in the international community's interest to invest in war-to-peace transitions. Not only will the cost of intervention for the international community rise if peace is not maintained – as peacemakers, peacekeepers and peacebuilders are called in again – but peace has inherent environmental, cultural and spiritual benefits for the international community, let alone the citizens of the country. While less immediately tangible, these benefits far outweigh the short-term costs of financing war-to-peace transitions.

Finally, it might be asked how African nations would fare if they were faced with an aggressive military threat if they had demilitarised and moved towards nonviolent ways of building security. One response is the African Standby Force currently being formed, which will consist of five brigades based across the continent and totalling around 25 000 military personnel. It is designed specifically to intervene, under African Union direction, in situations of actual or threatened invasion or human rights abuse. As former Costa Rican president Oscar Arias has noted (1996:17), 'the present situation of each country maintaining its own military forces is as wasteful as if every house in a community maintained its own fire engine'.

References

- Harbom, L and Wallensteen, P 2005. Patterns of major armed conflicts, 1990–2005. In Stockholm International Peace Research Institute, *SIPRI Yearbook 2006*. Oxford: Oxford University Press.
- SIPRI (Stockholm International Peace Research Institute) 2006. *SIPRI Yearbook 2006*. Oxford: Oxford University Press.
- UNESCO (United Nations Educational, Scientific and Cultural Organisation) 1986. The Seville statement on violence. Available at http://portal.unesco.org/education/en/ev.php-URL_ID=3247&URL_DO=DO_TOPIC&URL_SECTION=201.html.
- Ackerman, P and Duvall, J 2000. *A force more powerful: a century of nonviolent conflict*. New York: St Martins Press.
- Arias, O 1996. Human security: our common concern. *Disarmament*, XIX(3):7–17.
- Ball, N and Barnes, S 2000. Mozambique. In S Foreman and S Patrick (eds), *Good intentions: pledges of aid for postconflict recovery*. Boulder, Colo: Lynne Rienner.
- Collier, P and Hoeffler, A 2002. *Military expenditure, threats, aid, and aims races*. Policy Research Working Paper 2927. Washington, DC: World Bank.
- Dobbins, J 2003. America's role in nation-building: from Germany to Iraq. *Survival*, 45(4):87–110.
- Duffield, M 2000. Globalization, transborder trade and war economies. In M Berdal and D Malone (eds), *Greed and grievance: economic agendas in civil wars*. Boulder, Colo: Lynne Rienner.
- Eckhardt, W 1992. Death by courtesy of governments, 1945–1990. *Peace Research*, 24(2):51–55.
- Galtung, J 1985. Twenty-five years of peace research: ten challenges and some responses. *Journal of Peace Research*, 22(2):141–158.
- Galtung, J 1996. *Peace by peaceful means*. London: Sage.
- Harbom, L and Wallensteen, P 2006. Patterns of major armed conflicts, 1990–2005. In Stockholm International Peace Research Institute, *SIPRI Yearbook 2006*. Oxford: Oxford University Press.
- Harris, G 2002. The irrationality of South Africa's military expenditure. *African Security Review*, 11(2):75–86.
- Harris, G 2004a. Central American demilitarisation: a model for small countries? In G Harris (ed), *Achieving security in sub-Saharan Africa: cost effective alternatives to the military*. Pretoria: Institute for Security Studies.
- Harris, G (ed) 2004b. *Achieving security in sub-Saharan Africa: cost effective alternatives to the military*. Pretoria: Institute for Security Studies.

- Holmes, R and Gan, B 2005. *Nonviolence in theory and practice*. Prospect Heights: Waveland Press.
- Human Security Centre 2005. *Human Security Report 2005*. New York: Oxford University Press.
- International Institute for Security Studies 2004. *The military balance 2004–2005*. Oxford: Oxford University Press.
- Keen, D 2000. Incentives and discentives for violence. In M Berdal and D Malone (eds), *Greed and grievance: economic agendas in civil wars*. Boulder, Colo: Lynne Rienner.
- King, M 1999. *Mahatma Gandhi and Martin Luther King Jr: the power of nonviolent action*. Paris: UNESCO.
- Lindgren, K, Heldt, B, Nordquist, K-A and Wallensteen, P 1991. Major armed conflicts in 1990. In Stockholm International Peace Research Institute, *SIPRI Yearbook 1991*. Oxford: Oxford University Press.
- Nagler, M 1999. What is peace culture? In H-W Jeong (ed), *The new agenda for peace research*. Abingdon: Ashgate Press.
- Omitoogun, W and Skons, E 2006. Military expenditure data: a 40-year overview. In Stockholm International Peace Research Institute, *SIPRI Yearbook 2006*. Oxford: Oxford University Press.
- Pei, M and Kasper, S 2003. *Lessons from the past: the American record on nation building*. Policy Brief 24. Carnegie Endowment for International Peace.
- Sachs, J 2002. Weapons of mass salvation. *The Economist*, 26.
- Sharp, G 1971a. The technique of nonviolent action. In J Bondurant (ed), *Conflict, violence and nonviolence*. Chicago: Aldine Press.
- Sharp, G 1971b. *The politics of nonviolent action*, Part II. Boston: Porter Sargent.
- Sharp, G and Paulson, J 2005. *Waging nonviolent struggle. 20th century practice and 21st century potential*. Boston: Porter Sargent.
- Sullivan, P 2007. War aims and war outcomes: why powerful states lose limited wars. *Journal of Conflict Resolution*, 51(3):496–524.
- Summy, R 1994. Nonviolence and the case of the extremely ruthless opponent. *Pacific Review*, 6(1):1–29.
- Suter, K 2004. National ministries of peacebuilding. In G Harris (ed), *Achieving security in sub-Saharan Africa: cost effective alternatives to the military*. Pretoria: Institute for Security Studies.
- UNAIDS 2006. *2006 AIDS epidemic update*. Available at http://www.unaids.org/en/HIV_data/epi2006/.
- UNDP (United Nations Development Programme) 1994. *Human development report 1994*. New York: Oxford University Press.
- UNDP 2007. *Human development report 2007*. New York: Oxford University Press.
- Ury, W, Brett, J and Goldberg, S 1988. *Getting disputes resolved*. San Francisco: Jossey Bass.
- Wiharta, S 2006. Peace-building: the new international focus on Africa. In Stockholm International Peace Research Institute, *SIPRI Yearbook 2006*. Oxford: Oxford University Press.
- Willett, S 2004. Development and security in Africa: a challenge for the new millennium. In G Harris (ed), *Achieving security in sub-Saharan Africa: cost effective alternatives to the military*. Pretoria: Institute for Security Studies.
- Zunes, S, Kurtz, L and Asher, S 1999. *Nonviolent social movements: a geographical perspective*. Malden: Blackwells.

Deconstructing local ownership of security sector reform: A review of the literature

Daniel Bendix and Ruth Stanley*

Introduction

Since the late 1990s the concept of security sector reform (SSR) has entered the repertoire of international development aid as a means to good governance, democratisation, development and conflict transformation (Brzoska 2003). SSR is understood to be a comprehensive reform process with the aim of making the institutions that are responsible for protecting society more accountable to individual citizens and communities and more responsive to their security needs, while ensuring that they become or remain effective and efficient in the provision of security (Caparini 2004a:181).

SSR differs from traditional forms of military and internal security assistance in a number of important ways. First, reform of the security sector is intended not simply to enhance the

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efficacy of the security forces, but also to ensure that they conform to standards of legality, transparency and accountability. Second, and reflecting this normative impulse, SSR seeks to adopt a holistic approach, recognising that effective reform of security institutions needs to encompass the different components of the security sector in an integrated fashion. Third, the concern of SSR is to have a positive impact not only on the security of the state, but also on the safety of communities and individuals. It is thus predicated on the security needs of the relevant states and communities, and not, as was frequently the case with traditional forms of military and police assistance, on the perceived security interests of external donors, and accordingly the emphasis is on participation and local ownership. Local ownership, indeed, is an article of faith for international development agencies whose agenda is increasingly influenced by the perceived development-security nexus (DFID 2005).

But what does ‘local ownership’ of SSR mean and for what is it good? Is there a consensus on what local ownership entails, or is it simply a convenient label covering everything from wide societal participation in policy formulation and implementation to passive acceptance of externally driven policy reforms? Who are the ‘locals’ who ‘own’ SSR programmes? Is it indeed a contradiction to speak of local ownership in the context of SSR funded by external donors? These are the questions this paper seeks to address on the basis of a review of the existing literature. Here the first paradox can be noted: although the notion of local ownership has gained very wide currency in the context of development aid, there are relatively few studies dealing with the concept and practice of local ownership (Saxby 2003) and still fewer dealing with local ownership in the context of SSR. We therefore draw on both general literature in which the applicability of, and need for, local ownership in the context of development aid programmes are discussed, as well as on the narrower field of SSR.

First the meanings attached to ‘ownership’ and the qualifying adjective, ‘local’, in the development–SSR discourse are reviewed, and the question is asked what purpose local ownership is intended to serve. Then proposals for putting local ownership of SSR into practice are looked at. In conclusion, the finding is that development donors have no consistent definition of local ownership and that in practice, local ownership of externally supported SSR tends to conform to the lowest common denominator. Nevertheless, it makes sense to retain the concept in order to hold donors accountable to their self-proclaimed principles and to serve as a yardstick for measuring the degree of democratic participation in SSR.

What is ownership, who is local, for what is local ownership good?

In everyday parlance, ‘ownership’ is defined as ‘the state or fact of being owner’, the ‘legal right of possession’ (Collins), ‘the state, relation, or fact of being an owner’, ‘lawful claim or

title', 'property, proprietorship, or dominion' (Webster's), '[t]he fact or state of being an owner; legal right of possession; property, proprietorship, dominion' (OED). In a distinction harking back to the categories of Roman law, ownership can be distinguished from possession. The former can thus also be called 'legal possession' and the latter 'actual possession' (OED). Put simply, the possessor may enjoy the fruits of possession, while the owner, who enjoys legal title over the property, may also freely dispose of what is owned. In accordance with standard definitions of ownership, then, policy ownership would imply the ability to modify, amend and withdraw specific policy measures freely and without constraint.

However, local ownership of SSR, indeed of externally funded reform programmes more generally, entails far less than this. For some authors, 'local ownership' is given if and as long as the recipient country is appreciative of the benefits of policy measures. This is the view taken by Boughton and Mourmouras (2003:3), who in a general discussion on local ownership without specific reference to SSR, argue that local actors need not have been involved in the development of reform programmes, let alone be the initiators, in order to qualify as 'owners': 'For a government to own a set of policies does not require that officials think up the policies by themselves, nor that the policies be independent of conditionality. What it does require is for the owner to appreciate the benefits of the policies and to accept responsibility for them.' This comes close to suggesting that gratitude and obedience constitute ownership.

From a recipient perspective, ownership implies a good deal more than appreciation of externally devised programmes. Edomwonyi (2003:43) argues that true ownership would mean that reform efforts are 'locally conceived of and led'. The Organisation of Economic Co-operation and Development's Development Assistance Committee (OECD DAC 2005:34) adopts a position quite close to this broad understanding of ownership in calling for donors and other external actors –

... to orient their assistance to supporting local stakeholders as they move down a path of reform, rather than leading them down it ... it is important that solutions to problems are developed locally and appropriate to the context they are implemented in. Giving primary responsibility to the government and other local stakeholders is essential to locally-owned SSR.

This definition emphasises that the role of external actors is to support locally generated SSR projects rather than to initiate reform of the security sector; it also underlines the importance of a context sensitive approach that can best be achieved where local solutions to security challenges are developed and implemented. Individual OECD member states, however, apply a very restricted definition of local ownership that comes closer to simply winning acquiescence for externally generated policies. Attaching conditions to the provision of development assistance ('conditionality') – standard practice for international financial institutions as well as many donor governments – can be seen as antithetical to

the principle of local ownership, at least where this is defined in a broad sense (Choritz 2002:11). Where ownership is understood to mean no more than acquiescence, however, conditionality is seen to affect 'the degree of ownership', but not fundamentally to challenge the principle of ownership (Boughton & Mourmouras 2003:9). Here a second paradox becomes apparent: the principle of local ownership, that apparently seeks to enhance the decision-making power of recipients, has been enunciated above all by donor governments and institutions, while practitioners and analysts from countries that are commonly the recipients of development aid and SSR programmes have often shown a considerable degree of scepticism towards the concept.

What of the qualifier 'local'? The term local owners is broadly employed to refer to actors and institutions in the recipient countries, and it is often used interchangeably with related concepts such as 'country ownership' (OECD DAC 2005:13, 34–35), 'national ownership' (UN Security Council 2007; Choritz 2002:5; Nathan 2007a:22), 'government ownership' (Multi-Country Demobilisation and Reintegration Program 2003:5), 'domestic ownership' (OECD DAC 2005:13), and 'borrower ownership' (Johnson & Wasty 1993). Local in this context refers to actors and institutions within the recipient country, often apparently conceived to be united in goals and purpose. This homogenising view from the distant perspective of the donors is questioned by analysts who draw attention to conflicting needs and interests on the ground that defy the homogenising tendency (Lavergne 2003; Ebo 2007a:83). In this regard, Ebo argues that the concept of local ownership needs to be deconstructed 'to expose the multiplicity of local actors, interests and levels of capacity, authority and autonomy'. Recognition of the conflicting interests of local actors implicitly requires that some mechanism be devised to enable these interests to be voiced and, as far as possible, some kind of consensus on the ends and means of policy reform to be achieved. We return to this point below.

The donor emphasis on country / national / government ownership raises a further question. It suggests a sensibility for sovereign control of national policy, a concern that may seem surprising on the part of foreign donors whose involvement is explicitly intended to impact politics and society in the recipient country. By the same token, it tends to take insufficient account of more complex views of who or what is local. Diaspora communities have long been recognised as central actors in conflict and their potential impact on policy reform should be included in the equation (see for example Kent 2005:34–35). Regional actors also need to be taken into account, the more so since internal conflict almost always spills over into neighbouring countries that provide refuge for those fleeing conflict, a safe haven for combatants, and often material support to one or more of the warring parties. In post-conflict situations, the consensus sought among local actors should therefore ideally include a sub-regional component (Bryden et al 2005).

For what is local ownership good? Generally, the need for local ownership in SSR processes is justified in much the same terms as are used in other areas of development

assistance. Thus, local ownership is seen as a precondition for the effectiveness of SSR (Scheye & Peake 2005a:240) and as a guarantee for the sustainability of SSR measures (Wulf 2004:16; Nathan 2007a:39–42). Without local ownership, SSR is considered to be ‘inimical to development and democracy: domination and paternalism by external actors generate resentment, resistance and inertia among local actors’ (Nathan 2007a:3). Commitment and responsibility of recipients is seen as being enhanced by local ownership (Boughton & Mourmouras 2003:2; Lavergne 2003). Local ownership as participation confers legitimacy on reform (Caparini 2004b:57), guards against criticism (Williams 2000) and helps rebuild trust in the security sector (Jaye 2006:14).

Other authors define local ownership in strongly normative terms, arguing that people, communities and states have the right to determine matters that will affect their lives: ‘At the root of the normative case for local ownership is the argument that people have a right to determine their own destinies and to be governed by their own governments’ (Lavergne 2003). Nathan (2007a:3) sees local ownership as a matter of respect, hence as inherently valuable regardless of its positive impact on the outcome of SSR processes. However, he also argues that local ownership is a necessary pragmatic prerequisite for a positive outcome on efforts to democratise the security sector, for ‘democracy cannot take root other than by democratic means’.

Not surprisingly, there is thus a close relationship between the declared aim of local ownership and the scope of the concept. If it is seen as necessary to secure compliance and legitimacy, the content of the term can be reduced to recipient acceptance of donor devised reform policies. However, if local ownership is viewed as a necessary element of the democratisation process and a goal in its own right, it will be defined more ambitiously.

Putting local ownership of security sector reform into practice

The brief review of the literature presented above reveals that, despite the currency of the term, there is no real consensus on what ‘local ownership’ means, nor on the ends it is supposed to serve. If this is true in general, local ownership of SSR poses further problems specific to the security sector. First, this sector has traditionally been viewed as the symbol and upholder of the defining element of modern statehood, namely the monopoly on the legitimate use of violence. The fact that this monopoly has seldom if ever been achieved in non-Western societies makes the issue of SSR under foreign auspices more, not less, sensitive.

Second, it is often the previous actions of still powerful local actors that make SSR necessary in the first place (Scheye & Peake 2005a:235). By definition security

forces wield power that, while it may be legitimate (as in the case of an army subject to democratic parliamentary control and subservient to a democratically elected government), ultimately depends on the ability to exert lethal force. This applies to state security institutions as much as to non-state armed actors – rebel forces, guerrillas and the like. SSR thus has to contend with powerful armed groups who may have a vested interest in opposing reform. Third, if a precondition for ownership of SSR is the capacity to formulate and evaluate security policy, expertise in this field is often conspicuously lacking among civilians. This lack of capacity is frequently a significant factor enhancing the de facto autonomy of military and police forces, even under a democratic regime.

Finally, this problem is exacerbated by the fact that armed and security forces are by their very nature inherently undemocratic: hierarchical in structure, often bound by tradition and forming a separate military caste, unused to public scrutiny. SSR thus involves policy reforms in a highly sensitive area where divergent and powerful actors may have conflicting interests.

How then is local ownership of SSR operationalised? Is local ownership even an operational concept? Boughton and Mourmouras (2003:3) allege that it is not, consisting as it does of a necessarily subjective judgement about the state of mind and degree of internal commitment to reform on the part of local officials that are neither directly observable nor measurable. Moreover, the degree of internal commitment is not a static given, but an attitude that may alter with changing political constellations in the recipient country. Evidently, this assertion that local ownership is not and cannot be an operational concept derives directly from these two authors' very weak definition of local ownership as a willingness to commit to donor policies. In general, the more specific and emphatic the definition of what local ownership means, the more detailed the prescriptions for operationalising the concept.

Evidently, the operationalisation of local ownership depends on who is counted among the owners. The heterogeneity of local actors – and potential owners – points to the complexity of achieving a locally owned process: SSR needs to be acknowledged as an inherently political process, and the conflicting interests within it have to be taken seriously (Nathan 2007a:8). The process of achieving ownership will only succeed if the different local actors with their 'different activities, functions, responsibility and authority in relation to governance' are incorporated into SSR at the various phases. In a broad guide to operationalisation, Nathan (2007a:14) proposes a sequenced SSR with the executive designing and driving the process to make sure that parliament, the judiciary, the armed security institutions and civil society provide inputs and legitimise the process at the respective stages during the legislative process:

SSR cannot be undertaken by the amorphous category of 'local actor' and it cannot be undertaken by civil society organisations, which can support and

lobby for reforms but do not have the authority to implement them. SSR can only be carried out by an executive authority that controls or seeks to control the security services.

Local ownership in this perspective could be measured by the extent of its incorporation of all voices of the society in question, and thus by its level of democratic participation. Williams (2000) argues that this inclusive approach must take full account of local actors and institutions, especially where these do not fit the Western mould:

[Reform must be] both consistent with the indigenous traditions of the African continent and ... supportive of the ongoing attempts by Africans to take control of the political processes of which they are inseparable parts. This begs a series of partnerships with legitimate actors within the recipient countries to ensure that security sector reform succeeds.

Such legitimate actors include guerrilla forces and 'indigenous military organisations that have played a positive role in contributing to the physical security of communities' such as the civilian defence forces in Sierra Leone (the Kamajors) and self-defence units in South Africa. Not all sections of the population will regard the same non-state actors as equally legitimate, so the SSR process must allow both time and space for consensus to be reached.

There seems to be no agreement on the extent to which civil society organisations should be included in the reform process. While there is general recognition of the constructive part they can play, they are often relegated to a mere consultative role, for example by canvassing their views on draft security reviews. Terms such as 'government ownership' (Multi-Country Demobilisation and Reintegration Program 2003:5) suggest that civil society organisations do not figure prominently among the local owners, while other scholars make their full participation a measure of the level of local ownership (Ebo 2007b:46). The lack of expertise in security matters is often cited as a reason why civil society organisations have not had much impact on SSR (Hutchful 2003:38), but these actors may be in possession of highly relevant local expertise that is not acknowledged. In Sierra Leone, for example, the report of a regional consultant, which highlighted a locally induced process of decision making, was ignored. As a result civil society groups which were very active in the Sierra Leonean peace process were marginalised (Chanaa 2002:66–67).

In the case of Liberia, there is general consensus that the international community has failed to respect the principle of local ownership (Ebo 2005:55). In the transition phase, ownership meant the incorporation of the provisional government and the warring parties into SSR. The process was driven by external experts such as the private military company DynCorp and the United Nations Mission in Liberia; even some of the

security agencies themselves were not aware that the private security company Rand Corporation was undertaking a security review (Jaye 2006:13). The restructuring of the army was commissioned by the United States and handed over to private security and military companies (Aboagye & Rupiya 2005:263). Today, both officials and civil society groups voice their concern about a lack of local ownership and call for a 'Liberianising' of the process (Andersen 2006:4–5).

Moreover, the very term 'civil society' conjures up a culturally and historically distinct Western notion, based on a liberal conception that posits a separation between the state and civil society and tends to reduce the latter to non-governmental organisations (NGOs). As some scholars have argued, the reality in many African countries challenges this myopic vision, since civil society forces may be constituted quite differently, often on the basis of kinship, ideas of ethnicity, or forms of association not known and therefore barely visible to Western donor agencies (Obadare 2004:15).

Even where civil society organisations are judged to constitute relevant local owners, their role is sometimes seen as a limited one. Scheye and Peake (2005b:311) suggest that where the focus is on police reform, the local owners are individual citizens together with local government institutions and the police themselves; where the focus is on military reform, the government is the relevant local owner. This approach seems to reflect the development donor understanding of local owners as being those directly affected by policy reform. But ordinary citizens are in fact affected by military institutions, especially where military service is retained or where the military has a role in internal security. It is difficult to justify such a compartmentalised approach from a normative perspective. The participation of citizens and their organisations in all dimensions of SSR should be the goal, the more so since SSR claims to be a holistic project in which reform in one part of the security sector needs to take developments in other parts of the security sector into account. As the South African case shows, consultation with civil society organisations can be of major importance to ensure reform of the military on all levels (Nathan 2007b:96).

For local ownership to be achieved, it seems necessary to refrain from quick fix, ad hoc activities: 'SSR policy needs to give local initiatives the space to develop their own mechanisms for security change' (Chanaa 2002:66). Only then can external actors come in and support the process. Scheye and Peake (2005a:247) advocate a slowing down of SSR processes in order to achieve local ownership. By scaling down expectations, the focus can be on what is practically possible and affordable, instead of chasing after an ideal that can never be achieved (Scheye & Peake (2005a:260). They make clear how far the principle of local ownership extends in a situation where interests of donors and local actors might be in opposition and donors have the last word: 'It may be possible to negotiate a middle ground that privileges local knowledge, traditions, and capacities, and, only when necessary, is tempered by international intercession' (Scheye & Peake 2005a:254–255).

Engaging civil society actors at every step of the process helps to include distinct perspectives on security problems and also serves to build civilian expertise on security matters that is sometimes lacking at the onset of SSR. Donors and Western-based NGOs often see capacity-building as a means of enhancing local ownership (Clingendael et al 2002:9). In the sphere of civilian capacity-building, donors must be sensitive to the role of local actors and groupings that do not conform to the Western, NGO-based model of civil society and hence tend to be overlooked.

Taking local ownership seriously on an operational level would also mean that donor agencies institutionalise it in every step of their bureaucratic procedures; it would require the development of an institutional culture that takes the process of SSR as seriously as the results (Nathan 2007a:50–53). The theoretical commitment to a broad notion of local ownership by donors – as expressed in the OECD DAC’s publications on SSR (2005, 2007) – gives the governments of recipient countries and other relevant actors the chance to hold donors accountable: they can identify the extent to which a donor’s SSR activities comply with the principle of a locally owned SSR process.

Conclusion

The concept of local ownership is central to the international development discourse and through this discourse it has become part of the standard donor vocabulary with regard to SSR. As this article has shown, however, there is no agreement on the precise content of the term. Moreover, donors very frequently fail to adhere even nominally to the principle of local ownership, in practice often apparently preferring to rely on external technical expertise (Liberia is a case in point) and above all seeking a ‘quick fix’ to security problems.

The very different understandings of local ownership encountered in the literature prompt the question: who needs it and why? Donors demand local ownership in order to legitimise donor-driven policy prescriptions and in the hope that some degree of commitment on the part of the recipients will guarantee effectiveness and sustainability. Recipient governments and state apparatuses may demand local ownership in order to enhance their own influence over policymaking or implementation. For non-state actors, the principle of local ownership may be a lever to prise open the closed circle of SSR policymakers. Thus, although the term appears to mean all things to all men (and women), it is interesting to note that it is seldom jettisoned altogether; rather, critics try to breathe new life into it by defining it more inclusively, emphasising the crucial role of non-state actors and the potential contributions to SSR of non-Western institutions that are so frequently overlooked in donor blueprints.

Calling for an enhancement of local ownership and less control for donors is perhaps naïve when one considers that SSR was conceptualised by donors in order to gain access

to security matters in the development and transformation countries (see Brzoska 2003:20). However, the principle of ownership remains a crucial aspect for ensuring that SSR is undertaken in a democratic process in which all actors of society are integrated: 'A democratic and democratising security review and reform process can only emerge from a collective national vision of security that is based on locally generated responses to locally generated questions' (Ebo 2007a:84).

In general, it needs to be said that the term 'ownership' is a misnomer. There are very few cases of comprehensive security sector reform that have been genuinely owned by a broad local constituency: South Africa's reform process is the obvious example (Cawthra 2005). If we conclude by arguing in favour of retaining the concept of ownership, despite the fact that it ill describes current donor practice, this is because it remains an important ideal to which all SSR processes should aspire. Conversely, we suggest that the qualifier 'local' serves only to veil the unclear intentions of external actors. Rather than relying on so amorphous a category, both donors and recipients should clearly state which actors they have in mind and what precise role they are willing to assign to these actors. In this way the concept could serve to highlight the democratic value of any reform by identifying who was part of it and at what stage of the process. It would allow us to identify the sidelining of civil society, marginalised groups or other actors from SSR processes. Such a deconstruction of local ownership would increase the accountability of both donors and recipient governments and give recognition to the fact that local owners are no homogenous group. It is thus necessary to develop mechanisms and strategies that would allow all voices in society to be heard and incorporated and so make SSR an inclusive endeavour. In this way ownership would be enhanced and the character of SSR as a process, not merely an outcome, would be recognised.

References

- Aboagye, F and Rupiya, M 2005. Enhancing post-conflict democratic governance through effective security sector reform in Liberia. In F Aboagye and A Bah (eds), *A tortuous road to peace. The dynamics of regional, UN and international humanitarian interventions in Liberia* [online]. Pretoria: Institute for Security Studies. Available at <http://www.iss.co.za> [accessed 12 June 2007].
- Andersen, L 2006. Post-conflict security sector reform and the challenge of ownership – the case of Liberia [online]. DIIS Brief, July. Available at <http://www.diis.dk> [accessed 26 November 2007].
- Boughton, J M and Mourmouras, A 2003. Is policy ownership an operational concept [online]? IMF Working Paper, WP/02/72. Available at <http://www.imf.org> [accessed 20 June 2007].
- Brzoska, M 2003. Development donors and the concept of security sector reform [online]. DCAF Occasional Paper, 4. Geneva: DCAF. Available at <http://www.dcaf.ch/publications> [accessed 20 June 2007].
- Bryden, A, N'Diaye, B and Olonisakin, F 2005. Security sector governance in West Africa: turning principles to practice [online]. DCAF Policy Paper, 8. Available at <http://www.dcaf.ch/publications> [accessed 20 June 2007].
- Caparini, M 2004a. Civil society and democratic oversight of the security sector: a preliminary investigation. In P Fluri and M Hadzic (eds), *Sourcebook on security sector reform*. Geneva/Belgrade: DCAF/CCMR.

- Caparini, M 2004b. The relevance of civil society. Response to 'Security sector reform in developing and transitional countries'. In C McCartney, M Fischer and O Wils (eds), *Security sector reform: potentials and challenges for conflict transformation*. Berlin: Berghof Research Center for Constructive Conflict Management.
- Cawthra, G 2005. Security governance in South Africa. *African Security Review* [online], 14(3):95–105. Available at <http://www.iss.co.za> [accessed 15 November 2007].
- Chanaa, J 2002. *Security sector reform: issues, challenges and prospects*. Oxford: Oxford University Press.
- Choritz, S 2002. Literature review of the evaluative evidence on three drivers of effective development: ownership, policy, and capacity development [online]. Available at <http://www.undp.org> [accessed 4 July 2007].
- Clingendael (Netherlands Institute of International Relations), International Alert and Saferworld 2002. Towards a better practice framework in security sector reform: broadening the debate. Occasional SSR Paper, 1 [online]. Available at <http://www.international-alert.org/pdf/pubsec/occssr1.pdf> [accessed 26 November 2007].
- DFID (Department for International Development) 2005. Fighting poverty to build a safer world – a strategy for security and development [online]. Available at <http://www.dfid.gov.uk> [accessed 26 November 2007].
- Ebo, A 2007a. Liberia case study: outsourcing SSR to foreign companies. In L Nathan (ed), *No ownership, no commitment. A guide to local ownership of security sector reform* [online]. Birmingham: University of Birmingham. Available at <http://www.ssrnetwork.net> [accessed 13 November 2007].
- Ebo, A 2007b. The role of SSR in sustainable development: donor policy trends and challenges. *Conflict, Security & Development*, 7(1):27–60.
- Ebo, A 2005. The challenges and opportunities of security sector reform in post-conflict Liberia [online]. DCAF Occasional Paper, 5. Available at <http://www.dcaf.ch/publications> [accessed 26 November 2007].
- Edomwonyi, O 2003. Rwanda. The importance of local ownership of the post-conflict reconstruction process [online]. *Conflict Trends*, 4:43–47. Available at <http://www.trainingforpeace.org> [accessed 20 June 2007].
- Hutchful, E 2003. A civil society perspective. In A Lala and A Fitzgerald (eds), *Providing security for people: security sector reform in Africa* [online]. Shrivenham: GFN-SSR. Available at <http://www.ssronline.org> [accessed 23 September 2007].
- Jaye, T 2006. An assessment report on security sector reform in Liberia [online]. *KAIPTC Report*, 3. Available at <http://www.kaiptc.org> [accessed 26 November 2007].
- Johnson, J and Wasty, S 1993. *Borrower ownership of adjustment programs and the political economy of reform*. World Bank Discussion Paper, 199. Washington: World Bank.
- Kent, R 2005. Security and local ownership: rhetoric and reality [online]. In *Pursuing security in the post-conflict phase: implications for current and future peace operations*. Report on a workshop held at the Geneva Centre for Security Policy, 12–13 June 2005. Available at <http://www.gcsp.ch> [accessed 23 July 2007].
- Lavergne, R 2003. Local ownership and changing relationships in development cooperation [online]. Available at <http://www.ccic.ca> [accessed 8 July 2007].
- Multi-Country Demobilisation and Reintegration Program 2003. Linkages between disarmament, demobilization and reintegration of ex-combatants and security sector reform [online]. Position paper. Available at <http://www.mdrp.org> [accessed 17 October 2007].
- Nathan, L 2007a. No ownership, no commitment: a guide to local ownership of security sector reform [online]. Birmingham: University of Birmingham. Available at <http://www.ssrnetwork.net> [accessed 15 October 2007].
- Nathan, L 2007b. South African case study: inclusive SSR design and the white paper on defense [online]. In L Nathan (ed), *No ownership, no commitment: a guide to local ownership of security sector reform*. Birmingham: University of Birmingham. Available at <http://www.ssrnetwork.net> [accessed 15 October 2007].
- Obadare, E. 2004. The alternative genealogy of civil society and its implications for Africa: notes for further research. *Africa Development*, 24(4):1–18.
- OECD (Organisation for Economic Co-operation and Development) Development Assistance Committee (DAC) 2005. *Security system reform and governance*. Paris: OECD.
- OECD 2007. *The OECD DAC handbook on security system reform*. Paris: OECD.
- Saxby, J 2003. Local ownership and development co-operation – the role of northern civil society [online]. Available at <http://www.ccic.ca> [accessed 5 July 2007].
- Scheye, E and Peake, G 2005a. Unknotting local ownership. In A Ebnöther and P Fluri (eds), *After*

- intervention: public security management in post-conflict societies. From intervention to sustainable local ownership.* Vienna: National Defense Academy and Bureau for Security Policy.
- Scheye, E and Peake, G 2005b. To arrest insecurity: time for a revised security sector reform agenda. *Conflict, Security & Development*, 5(3):295–328.
- UN Security Council 2007. Security sector reform in post-conflict states critical to consolidating peace [online], 5632nd meeting. Available at <http://www.un.org> [accessed 28 May 2007].
- Williams, R 2000. Africa and the challenges of security sector reform. In J Cilliers and A Hilding-Norberg (eds), *Building stability in Africa: challenges for the new millennium* [online]. Monograph No 46. Pretoria: Institute for Security Studies. Available at <http://www.iss.co.za> [accessed 14 May 2007].
- Wulf, H 2004. Security sector reform in developing and transitional countries. In C McCartney, M Fischer and O Wils (eds), *Security sector reform: potentials and challenges for conflict transformation*. Berlin: Berghof Research Center for Constructive Conflict Management.

**Moving the Ugandan peace process from the
dichotomy of criminal trials vs amnesty**

Issaka K Souaré

COMMENTARY

Moving the Ugandan peace process from the dichotomy of criminal trials vs amnesty

Issaka K Souaré*

For more than two decades, the rebel Lord's Resistance Army (LRA) has committed some of the most appalling human rights violations and war crimes against civilian populations in northern Uganda. The Ugandan government has been unable to defeat the rebel movement and effectively protect the civilian population from its atrocities. At the request of Kampala, the International Criminal Court (ICC) issued arrest warrants for the top five leaders of the movement in 2005 (Apuuli 2006). (In March 2008 four warrants remained after the death of one of the indicted men.) To many observers, this was a strategy by the government to put pressure on the rebels to come to the negotiating table. Effectively, peace talks began between the government and the rebel group in 2005 under the auspices of the government of South Sudan.

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Nonetheless, while the ICC indictments have been important in bringing the LRA to the negotiating table (ICG 2006), they also seem to be 'the main stumbling block to peace'. In February 2008 the Ugandan government and the rebel movement signed the sixth in a series of documents expected to lead to a final peace agreement to end the conflict. However, the main sticking point was still the LRA's demand that their indicted leaders receive immunity from ICC prosecution before a final deal is signed. The head of the LRA negotiating team, David Matsanga-Nyekorach, made it clear that 'we will not sign anything unless the ICC indictments are dropped' (Olupot 2008). It is perhaps because of this that the LRA leadership failed to show up on either 28 March or 5 or 10 April 2008, the different dates that had been set for the signing of the peace accord. On its part, the ICC still insists on the validity of its indictments. The closest it has come to softening its position was when it asked the Ugandan government to furnish it with information on the competence of a proposed war crimes court that Kampala had agreed with the rebels to set up as a section of the high court of Uganda (Nyakairu 2008). This indicates that criminal proceedings are still of paramount importance from the perspective of the ICC.

Criminal trials vs amnesty

There are two main camps on this issue: not only in Uganda but throughout the world there is division on the question of transitional justice in general. On the one hand there are those that are opposed to any kind of political arrangement that might divest suspected war criminals of responsibility for their actions. On the other hand are those that justify such arrangements as a solution of last recourse.

The proponents of the first approach give three main arguments for their point of view: First, they argue that amnesty laws are incompatible with international law (Chigara 2002:2, Ssenyonjo 2007:376, HRW 2005). Second, that contrary to the claim of the proponents of amnesty provisions who justify their argument on the basis of moral considerations for future victims, amnesty laws are not after all morally justifiable (Chigara 2002:5, Apuuli 2005:47, Ssenyonjo 2007:376). Third, that amnesty laws do not offer any guarantee that they will lead to durable peace in the country or prevent other wars from occurring (Penman 2007:11, HRW 2005).

Those in favour of amnesty claim that their arguments are based on the specific circumstances surrounding the particular case in question, and are not general and blanket arguments relevant to any conflict situation. They, too, have three main arguments or counter-arguments. First, they argue that the pursuit of criminal justice should not be so dogmatic that it will hamper the peace process or national reconciliation in the country concerned (Kaminski, Nalepa & O'Neill 2006, David & Choi 2006). In a

situation where credible evidence shows that prosecuting a suspected war criminal will most likely hamper the peace process or result in a renewal of fighting, the situation should be treated with the utmost caution.

The second argument of the proponents of amnesty laws is that the Rome Statute of the ICC also makes provision for amnesty when peace is at stake. They cite paragraphs 1(c) and (2)(c) of article 53 of the Statute, which allows the prosecutor of the ICC to suspend or abandon an investigation or prosecution where there are substantial reasons to believe that the investigation or prosecution ‘would not serve the interests of justice’. They also cite article 16 of the Statute, which gives a similar prerogative to the UN Security Council who, in a resolution adopted under chapter VII of the UN Charter, can request the court to suspend an investigation or prosecution for a period of 12 months, renewable, based on considerations of international peace and security.

In their response to this argument, Stahn (2005) and Human Rights Watch (2005) argue that since the term is not clearly defined in the Statute, the Office of the Prosecutor (OTP) of the ICC ‘should adopt a strict construction of the phrase “interests of justice” in order to adhere to the context of the Rome Statute, its object and purpose, and to the requirements of international law’ (HRW 2005:2). And for them, these things are clearly defined in the Preamble of the Statute, which is to combat impunity.

Here Lovat (2006:1), whose article focuses specifically on this position of HRW, argues that while there are advantages to this approach, it would nonetheless be inadvisable for this term to be construed in the manner advocated by HRW when the facts on the ground, such as in Uganda, may militate against such an interpretation. He goes on to make the point that although there is no clear definition of the phrase ‘interests of justice’ in the June 2003 draft regulations of the OTP, this is recognised in endnote 79 of that document, which states that the legal experts consulted by the court were of the view that were it to be decided that such a clear definition of the phrase be given, this could comprise (together with two other factors) a situation where ‘the start of an investigation would seriously endanger the successful completion of a reconciliation or peace process’ (ICC 2003:47).

Towards a middle ground

The debate presented above revolves around two central and equally valid preoccupations: The first is ending the two-decade-long armed conflict in Uganda so as to prevent further killings, human rights violations and destruction of property; and second to combat impunity so as to ensure that those responsible for past violations do not feel protected by the cover of an amnesty and commit more atrocities in the future. The question therefore has both a legal and a moral dimension.

With regard to the legal dimension, it is clear that both camps have some legal grounds for their positions. As far as the legalists are concerned, it is worth noting that even if we put the Rome Statute of the ICC aside, no instrument of international law and no national constitution, for that matter, condone the grave crimes that are the subject of this debate, as Chigara (2002:5) rightly notes. But the arguments of proponents of amnesty provisions are not void of legal basis in international law, either.

From the above it is clear that the attempts of some legalists to reinterpret or redefine the Rome Statute so as to deny any legal foundations for political arrangements, as opposed to criminal trials, when peace is at stake, were unconvincing. Article 16 of the Rome Statute, which only allows the Security Council to call for a suspension of 12 months, has led Gavron (2002:109) and many others to claim that this article cannot serve as an instrument to ensure permanent amnesty. Their argument is that amnesty laws are usually designed to exempt a group or a class of persons 'permanently' from criminal responsibility, while article 16 grants only temporary exemption and is a device designed to delay proceedings for a limited period of time. But this argument is questionable, for article 16 provides for a renewal of the 12-month period without limiting the number of renewals. This could be taken to mean that it can be renewed regularly, to a point where resorting to criminal proceedings against suspected criminals will not make any sense (after, say, two or three decades). These people may by then be dead or could have changed into well-respected national and/or international personalities.

Even if the 12-month period was not renewable, what use would it be to suspend criminal proceedings 'to allow a peace process to proceed' if political arrangements, including the offer of an amnesty, are excluded from that process? Furthermore, what purpose would that arrangement serve if it will not be respected on a permanent basis, as Gavron suggests? Would this not be a flagrant violation of a core principle of international law, the principle of *pacta sunt servanda* set out in article 26 of the 1969 Vienna Convention on the Law of Treaties? This article stipulates that 'every treaty in force is binding upon the parties to it and must be performed by them in good faith'.

From these arguments it is obvious that one cannot discard amnesty provisions based purely on legal grounds. But one should bear in mind that international law, both customary and humanitarian, is undergoing significant changes with regard to crimes committed during armed conflicts. However, while these are noble efforts in principle as their aim is to combat impunity, one is justified in wondering if the absolutist approach that some advocates of these changes support is realistic, given that the reality of many armed conflicts may militate against it. And if one can rightly reproach the proponents of amnesty provisions for the lack of preventive guarantees in their position, it will be hard to find the example of an 'armed conflict ended by negotiations', *which did not recur* 'solely because of criminal trials' for those suspected of committing crimes during that conflict.

It is true that armed conflicts that end through negotiated settlements are more likely to recur than those ended by the victory of one party over the other. But the fact of the matter is that this is simply because in the latter scenario, the loser's organisation is destroyed, making it very difficult to resume the war. Yet in the case of negotiated conflicts, parties to the conflict may form part of the post-conflict structure but still retain the capacity for war (Licklider 1995:681–690).

What follows from this discussion is the necessity of taking the debate out of its current format and considering alternatives based on the recognition that the two preoccupations identified above need not be mutually exclusive. To do this, one needs to acknowledge that 'justice' cannot be reduced to only one form, namely criminal or punitive justice. It must be recognised that there are other forms of justice to which one could resort to address violations that occurred during the armed conflict and, in so doing, combat impunity (Henham 2007:449–468). In other words, alongside civil and political rights, there are economic, social and cultural rights. After all, justice is a process that seeks to repair violated 'rights', and it is often all these rights that are violated during armed conflicts.

However, once this has been recognised one must determine how, in redressing the rights that were violated, those rights should be prioritised. Here, without falling into excessive relativism, heed must be paid to 'perceptions' of the people concerned about the concept of justice. It must be determined which of their different violated rights victims themselves would prioritise in the specific circumstances, such as Uganda.

This highlights the importance of the type of survey conducted by a team of researchers of the Human Rights Center of the University of California in Berkeley and the International Center for Transitional Justice in northern Uganda, between March and May 2005. This survey was carried out in the areas most affected by LRA violence with a view to understanding the position and perceptions of the people affected most about the different issues at hand, particularly an amnesty offer. According to the report of the survey, the 2 585 respondents were asked to identify their immediate concerns and, if they listed more than one, to rank them. Food and peace were the top two concerns mentioned (34 per cent and 31 per cent, respectively). Less than 1 per cent mentioned criminal justice as their most *immediate* concern (Pham et al 2005:21, 25).

Conclusion and policy recommendations

What is clear from this survey is that personal security and the restoration of their economic rights are more important to the victims of the LRA than political rights or criminal trials of those who had wronged them. One could therefore argue that in order to solve the conflict in northern Uganda, the government in Kampala should be allowed

to pass its amnesty law for LRA leaders. ICC should revoke its indictment and warrants of arrest for these leaders. Both the government of Uganda and those members of the international community that are ready to fund the very expensive criminal proceedings of these indicted leaders, should rather help to fund projects aimed at addressing the victims' economic rights – rights that the victims themselves consider more important.

With regard to the situation in Uganda the conclusion is therefore that the peace agreement could include an amnesty provision, but should also include the provision that any violation of its terms will mean the nullification of the amnesty provisions for those responsible for that breach. Finally, local justice mechanisms in the country, such as *Mato oput* and *Nnyono tong gweno*, should be used to address those violations that might not be covered by solely attending to issues of economic rights (for a detailed description and historical background of these local justice mechanisms in Uganda, see Latigo 2008:85–119). Efforts should also be made to address the shortcomings of these local justice mechanisms so that they are suited to the magnitude of the crimes.

References

- Apuuli, K P 2005. Amnesty and international law: the case of the Lord's Resistance Army insurgents in northern Uganda. *African Journal on Conflict Resolution*, 5(2):33–62.
- Apuuli, K P 2006. The ICC arrest warrants for the Lord's Resistance Army leaders and peace prospects for northern Uganda. *Journal of International Criminal Justice*, 4(1):179–187.
- Chigara, B 2002. *Amnesty in international law: the legality under international law of national amnesty laws*. London: Longman.
- David, R and Choi, S Y P 2006. Forgiveness and transitional justice in the Czech Republic. *Journal of Conflict Resolution*, 50(3):339–367.
- Gavron, J 2002. Amnesties in the light of the developments in international law and the establishment of the International Criminal Court. *International and Comparative Law Quarterly*, 51(1):91–117.
- Henham, R 2007. International sentencing in the context of collective violence. *International Criminal Law Review*, 7(2-3):449–468.
- HRW (Human Rights Watch) 2005. The meaning of 'the interests of justice' in article 53 of the Rome Statute. *Policy Paper*, June.
- ICC (International Criminal Court) 2003. Draft regulations of the office of the prosecutor, 3 June (online). Available at http://www.icc-cpi.int/library/organs/otp/draft_regulations.pdf [accessed 25 March 2008].
- ICG (International Crisis Group) 2006. Peace in the northern Uganda. *Policy Briefing*, 41, 13 September.
- Kaminski, M M, Nalepa, M and O'Neill, B 2006. Normative and strategic aspects of transitional justice. *Journal of Conflict Resolution*, 51(3):295–302.
- Latigo, J O 2008. Northern Uganda: tradition-based practices in the Acholi region. In H Luc and S Mark (eds), *Traditional justice and reconciliation after violent conflict: learning from African experiences*. Stockholm: International Institute for Democracy and Electoral Assistance.
- Licklider, R 1995. The consequences of negotiated settlements of civil wars, 1945–1993. *American Political Science Review*, 89(3):681–690.
- Lovat, H M 2006. Delineating the interests of justice: prosecutorial discretion and the Rome Statute of the International Criminal Court. Bepress Legal Series, Working Paper 1435. Available at <http://www.law.bepress.com/expresso/eps/1435> [accessed 12 December 2007].
- Nyakairu, F 2008. ICC softens on Kony's case. *The Monitor* (Kampala), 12 March.
- Olupot, M 2008. LRA sign agreement, walk out again. *New Vision* (Kampala), 1 March.

- Penman, A 2007. The peace-justice dilemma and amnesty in peace agreements. *Conflict Trends*, 3:8–13.
- Pham, P, Vinck, P, Wierda, M, Stover, E and Di Giovanni, A 2005. *Forgotten voices: a population-based survey on attitudes about peace and justice in northern Uganda*. University of California, Berkeley: International Center for Transitional Justice and the Human Rights Center.
- Ssenyonjo, M 2007. The International Criminal Court and the Lord's Resistance Army leaders: prosecution or amnesty? *International Criminal Law Review*, 7(2–3):361–389.
- Stahn, C 2005. Complementarity, amnesties and alternative forms of justice: some interpretative guidelines for the International Criminal Court. *Journal of International Criminal Justice*, 3(3):695–720.

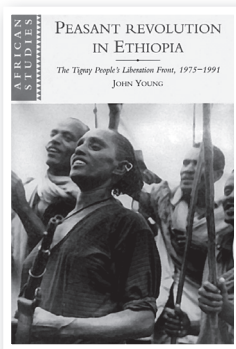
**Peasant revolution in Ethiopia:
The Tigray People's Liberation Front, 1975–1991**

John Young

**Untapped:
The scramble for Africa's oil**

John J Ghazvinian

BOOK REVIEWS



Peasant revolution in Ethiopia: The Tigray People's Liberation Front, 1975–1991*

John Young

As the challenges posed by Africa's various security problems increase, so too does the need for Westerners to better understand the histories and cultures of Africa's modern states. This is especially true of those countries on the frontlines of the fight against Islamic terrorism. The paperback reprint of John Young's *Peasant revolution in Ethiopia* (originally published in 1997) is, therefore, a necessary addition to the collections of scholars, analysts and policymakers alike.

Young's context is a relevant, contemporary time period in the formation of one of Africa's most strategically vital nation states, Ethiopia. In fact, in sub-Saharan Africa only Kenya, Nigeria and South Africa match Ethiopia in geopolitical importance.

The book centres on the rise and eventual victory of the Tigray People's Liberation Front (TPLF). In a straightforward manner, Young posits several key research questions; the

* New York: Cambridge University Press, 2006 (paperback), ISBN 978-0-521-02606-2.

most salient probe the background of the TPLF demand for self-determination and how the TPLF was able to defeat ‘the most powerful army in Black Africa’.

Young’s focus on the TPLF is significant on other accounts, too. The TPLF was one of numerous national liberation movements formed after the military junta known as the Derg overthrew the Haile Selassie regime in 1974. Today, the TPLF forms the central core of the Ethiopian government run by the Ethiopian People’s Revolutionary Democratic Front (EPRDF). Moreover, Meles Zenawi – Ethiopia’s prime minister since 1995 and a former TPLF member – is the symbolic and substantive outcome of the TPLF victory.

Young’s attention on the Tigray people also throws light on the history and culture of Ethiopia. The Tigray, along with other ethnic groups such as the Oromo, have long perceived the central Ethiopian government in the hands of the Amhara to be forceful ‘foreign’ rulers. Irreconcilable ethnic challenges, thus, have afflicted Ethiopia throughout its history as Africa’s oldest independent state.

Young also discusses the socio-political significance of education and academic standing among the Tigray people; given that it is highly regarded, it is unsurprising that teachers and students comprise a crucial portion of the TPLF. Such useful facts on the TPLF and the Tigray are woven throughout the text.

Well written, researched and structured, the book’s three chapters on the course and character of the TPLF revolution are especially insightful. The two chapters on Ethiopia’s historical and social landscape as well as the social and political character of the Tigray contextualises them within the Ethiopian landscape. Young expands on the central motivating forces behind the TPLF, namely a sense of Tigray ethnonationalism, pragmatic self-reliant leadership and the consistently repressive policies of the Soviet-backed Derg.

Although individual opportunities and leaders were important (as Young’s first-person interviews attest), the TPLF victory can in large measure be ascribed to its comprehension of Mao Tse-tung’s theory of protracted warfare. Young rightly refers to the strategic importance of this aspect throughout the text. In contrast to its enemies, the TPLF took great care to gain the support and allegiance of those groups who were most important to its struggle, which included peasants as well as non-Amharic ethnic groups.

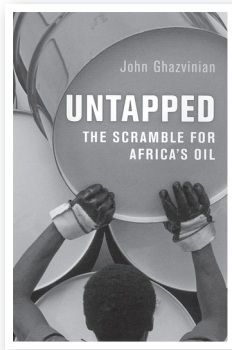
Strategically and tactically, the TPLF viewed the war as a long-term, full-scale revolution. For example, the TPLF alliance with the Eritrean People’s Liberation Front, though intermittent, was of overall strategic value. The TPLF recruitment methods and treatment of prisoners of war also demonstrated a nuanced understanding of Maoist theory. Success, as Young points out, was due to TPLF organisational skills (political and military) as well as their level of commitment – both hallmarks of Maoist principles.

Less valuable in *Peasant revolution* are two chapters on peasant revolution theories and TPLF–peasant relations. Perhaps because the book was a byproduct of Young’s doctoral dissertation, these discussions serve at best as bookends to the central theme. The theoretical importance of Tigray peasants loses substantial weight when Young compares the TPLF to similar revolutionary struggles in Southeast Asia. The TPLF was successful because it took advantage of the strategic significance of peasants in Ethiopia while the Derg did not; one may appreciate this without Young’s theoretical discussions. The context – always supremely relevant in strategy – dictated that the victor would have the support of an essential portion of the population, in this case the TPLF and the peasants. Different contexts would have required differing support bases.

Two additions to *Peasant revolution* would have been helpful. First, an appendix of the most important Tigrinya-to-English terms would have assisted in detailed parts of the text. Similarly, a timeline chronicling the salient events during the rise of the TPLF would have been of assistance as well.

These minor criticisms notwithstanding, Young’s expert knowledge of Ethiopia and the complex Horn of Africa region shines through in *Peasant revolution*. From his experiences as a journalist and scholar to his governmental and nongovernmental positions, Young demonstrates that it is possible for outsiders – with dedication and hard work – to garner a truly commanding knowledge of foreign peoples and lands. Others would do well to follow in his footsteps.

Reviewed by Donovan C Chau, assistant professor of political science at California State University, San Bernardino. This book review first appeared on the website of the Association for the Study of the Middle East and Africa (ASMEA), and is reprinted here with permission. Readers are encouraged to visit the ASMEA website (www.asmeascholars.org) and to consider applying for membership of the organisation. Membership during the 2007/08 academic year is free.



Untapped: The scramble for Africa's oil*

John J Ghazvinian

At a first reading I thought that the writing of Johan Ghazvinian was in the league of Michela Wrong (*In the footsteps of Mr Kurtz* and *I didn't do it for you*). However, despite the preparatory research and field trips, his narrative does not have the depth and context of that of Ms Wrong. To be sure, *Untapped* is extremely well written and researched. The author has the ability to present complex issues in an unusually compelling and vivid manner, but this is indeed a reference guide for the Afro-pessimist and Ghazvinian's narrative is the weaker for that. His writing reinforces the image of the worst stereotypes associated with corporate and African greed, oil and exploitation, and presents one-dimensional views of developments in Nigeria, Gabon, Cameroon, the Republic of Congo, Angola (including Cabinda), Equatorial Guinea, São Tomé & Príncipe, Chad and Sudan. For Ghazvinian:

Gabon is the golden child ruled by a self-interested French puppet who forgot to prepare his country for life after oil and has left it with a castrated economy.

* Orlando: Harcourt Inc, 2007, 320 pages, ISBN 978-0-15-10138-4.

Cameroon and Congo are much the same story, but in the latter country, oil has fuelled a bloody civil war that has left the population traumatized and afraid to speak out against the country's high-level corruption. Angola is the sleeping giant where billions of dollars have disappeared and where the government maintains a deep distrust of and distance from the international community. And as for Nigeria, it is simply the doomsday scenario, an amalgamation of all the worst oil has to offer Africa: corruption, ethnic hatred, Dutch disease, and rentierism, organized crime, militant rebellion, hostage taking, and sabotage of industry activity ... (p 167).

According to Ghazvinian, Gabon is a classic rentier state in which the state is no longer reliant on the economic productivity of its citizens for its revenue, but has itself become the main source of revenue in the domestic economy – its main function the allocation of handouts, with pet projects and corruption being the only way to get ahead. However, the most distressing is his account of the impact that oil has had on the volatile politics of the Niger Delta region in Nigeria. As the federal government of Nigeria saw its annual revenue increase tenfold from 1965 to 1975, the bottom fell out of the country's agricultural base, with precipitous falls in the production of cocoa, rubber, cotton and groundnuts, and a concomitant increase in the percentage of Nigerians living in poverty. From a budding African powerhouse, he describes how Nigeria has become just another African basket case. 'How did a lush, swampy river delta home to quiet tribes of fishermen in wooden boats become the scene of a conflict so violent and unpredictable that neither multinational petroleum companies nor one of Africa's most powerful armies seem capable of contending with it?' (p 22).

Extractive industries (oil, gas and mining) already account for more than 50 per cent of African exports and 65 per cent of foreign direct investment. The corruption and greed of oil companies and the misrule by African governments has turned abundance into misery – no jobs, no wealth (save for a few in government) and massive environmental damage in certain areas. Overvalued African currencies (the effect is known as the Dutch disease) has undermined nascent manufacturing industries, destroyed subsistence agriculture and trapped key African countries with weak governance in a vicious cycle of violence, corruption and misery. The African oil boom produces far more jobs in the United States and Europe than it ever will in Africa – Ghazvinian notes that only about five per cent of the billions invested in African petroleum products every year is spent on this continent.

The book brings considerable perspective to the hype that has accompanied Africa as a major source of oil in an energy hungry world. Africa is believed to contain, at best, ten per cent of the world's proven oil reserves, yet it has become a source of much speculation regarding US, Chinese, Indian and other competition. Clearly, the fact that Africa is one of the world's least explored regions and the associated speed of growth of African oil production have contributed considerably to the exorbitant expectations.

Ghazvinian has five additional arguments in support of his contention. First, Africa's oil – most of which is found in the Gulf of Guinea – is viscous and low in sulphur. Known as 'light' and 'sweet' in industry parlance, it is easier and cheaper to refine than, say, Middle East crude. Second, transport-related costs and risks are low – particularly from the Gulf of Guinea that allows speedy transport to the major trading ports of Europe and North America. Africa also offers a very favourable contractual environment. Without the capacity to effectively manage and oversee oil exploration and production, or the ability to amass either the technical expertise or the billions in capital investment required to drill for oil themselves, most countries in sub-Saharan Africa operate on the basis of so-called production-sharing agreements that offer foreign oil companies tremendous downstream profits. This is particularly advantageous as few African countries are members of the Organisation of Petroleum Exporting Countries (OPEC), subject to limits on output. Most important of all, virtually all the big discoveries of oil in recent years have been made offshore, in deepwater reserves that are miles away from civil war, insurrection and strife. In fact, one third of the world's new oil discoveries since the year 2000 have been made in Africa, according to Ghazvinian.

In summary

African oil is cheaper, safer, and more accessible than its competitors', and there seems to be more of it every day. And, though Africa may not be able to compete with the Persian Gulf at the level of proven reserves, it has just enough up its sleeve to make it a potential 'swing' region – an oil province that can kick in just enough production to keep markets calm when supplies elsewhere in the world are unpredictable (p 12).

What makes this such an important book is that a number of countries, including Mauritania, Mozambique, Madagascar, Uganda, Kenya and Ethiopia, have joined or are about to join the ranks of the world's oil producers. Most recently oil exploration companies announced the discovery of an estimated three billion barrels of oil in Ghana. Although less than three days' worth of global consumption, production of 100 000 barrels per day is to start in 2010 and would double within five years. Having barely recovered from decades of misrule, bad governance and dictatorship, Ghana – recently Africa's poster child for development – will have to deal with many new challenges as a result of these discoveries.

In a brief epilogue Ghazvinian himself recognises the fact that caricature has replaced context and analysis in much of *Untapped*. While a great deal in this book is distressing to read, it remains a well-written and comprehensively researched – if perhaps one-sided – description of African oil and the challenges that it continues to engender.



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